

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**LICENSING SUB-COMMITTEE**

Minutes of the Meeting held on 15 September 2021 at 10.00 am

Present: Cllr J J Butt, Cllr B Dion and Cllr G Farquhar

17. Election of Chairman

**RESOLVED that Councillor Judes Butt be elected Chairman of the Sub-Committee for the duration of the meeting.**

Voting: Unanimous

18. Apologies

Following the publication of the agenda, Councillor Norman Decent submitted apologies for this meeting and Councillor George Farquhar, as first reserve, assumed the role as a Licensing Sub-Committee member.

There were no other apologies for absence.

19. Declarations of Interests

There were no declarations of interest.

20. Exclusion of Press and Public

**RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.**

21. Review of a Private Hire and Hackney Carriage Driver's Licence

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

The Chairman explained the protocol detailing the procedures of the meeting as attached to the Agenda and asked that it be agreed. All participating parties agreed the procedure.

Attendance:

From BCP Council:

Nananka Randall – Licensing Manager  
Johanne McNamara – Legal Advisor to the Sub-Committee  
Michelle Cutler – Democratic Services Officer and Clerk to the Sub-Committee

The Driver and his interpreter were also in attendance.

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

Councillors were asked to decide whether the applicant was a 'fit and proper' person to hold a Private Hire and Hackney Carriage Driver's licence.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.  
With the consent of all parties present, the Driver submitted 2 personal references to the Sub-Committee in support of his case.

All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the Hearing, the Legal Advisor advised all parties of the right of appeal.

**It was RESOLVED that having considered the written report at Agenda Item 5 and the verbal submissions of Nananka Randle, Licensing Manager, BCP Council and the Driver and the his Interpreter, together with all responses to the questions asked of both parties, and upon taking into consideration the two personal references submitted at the Hearing by the Driver, the Sub-Committee is satisfied that the Driver remains a 'fit and proper' person to continue to hold a Hackney Carriage and Private Hire Driver's Licence.**

**However, the Sub-Committee resolved to issue the Driver a strict warning in the form of a written caution to remind him of the seriousness of the matter brought before them and to remind him of his responsibilities and role as a taxi driver for BCP Council.**

**The Sub-Committee took into consideration the written documents and information contained in Agenda Item 5; the BCP Council Private Hire and Hackney Carriage Conditions, Bylaws and Guidance, the BCP Private Hire and Hackney Carriage Policy, the provisions of the**

**Local Government (Miscellaneous Provisions) Act 1976 and the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades and the oral representations made at the Hearing on 15<sup>th</sup> September 2021.**

**Right of Appeal**

**All parties to the application have the right to Appeal to the Magistrates Court within the period of 21 days beginning with the day on which the Applicant is notified by the Licensing Authority of the decision in writing.**

**Voting - Unanimous**

The meeting ended at 12.07 pm

CHAIRMAN