

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 22 December 2021 at 10.00 am

Present:-

Cllr J J Butt – Chair

Present: Cllr G Farquhar and Cllr D Kelsey

11. Election of Chair

RESOLVED that Councillor J J Butt be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

12. Apologies

There were no apologies received. The Chair thanked the two reserve members, Cllr L Williams and Cllr B Dion, for their attendance.

13. Declarations of Interests

There were no declarations of interest.

14. 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.

15. Consideration of suitability of Hackney Carriage Driver in the Bournemouth Zone

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 Chair made introductions and explained the procedure to be followed in considering this item, which was agreed by all participating parties.

Attendance:

From BCP Council:

Nananka Randle – Licensing Manager

Ellie King – Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

The Driver was also present and was accompanied by two colleagues attending in a non-participatory supporting role.

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book. In view of the incidents detailed in the report, the Sub Committee was asked to decide whether the driver remained a 'fit and proper' person to hold a Private Hire and Hackney Carriage Driver's licence.

The Licensing Manager provided updates in respect of two of the dates included in the report and advised that one of the incidents listed in the report was to be disregarded.

Following publication of the agenda the driver had submitted two character references and a further response to some of the incidents referenced in the report. This information had also been circulated to Members and appears as Appendix 'B' to these Minutes in the Minute Book. In addition to this and with the consent of all parties present at the hearing the driver circulated further information in the form of a photograph.

The driver addressed each of the incidents referenced on the report. He gave an account of his professional and personal circumstances.

The Sub-Committee asked various questions of all parties present and was grateful for the responses received.

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.

RESOLVED that having considered the written report of the Licensing Officer, the supplementary information provided by the driver named in the report and the verbal submissions and responses to questions provided at the hearing by all parties and having regard to the BCP Hackney Carriage and Private Hire Driver Policy and the relevant guidance documents issued by the Institute of Licensing (IOL) and the Department of Transport, the Sub Committee found that the driver was no longer considered to be a fit and proper person to hold such a licence.

The Sub Committee decided to revoke the driver's hackney carriage and private hire driver licence. It was decided that in the interests of public safety, this would be with immediate effect, in accordance with

**Section 61 (2b) of the Local Government (Miscellaneous Provisions)
Act 1976.**

Voting: Unanimous

The meeting ended at 12.00pm

CHAIRMAN