

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

Minutes of the Meeting held on 12 December 2023 at 10.00 am

Present: Cllr A Chapmanlaw, Cllr D A Flagg and Cllr S Moore

64. Election of Chair

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

Voting: Unanimous

65. Apologies

There were no apologies for absence.

66. Declarations of Interests

There were no declarations of interest.

67. Protocol for Public Speaking at Meetings

The protocol for speaking at public meetings was noted.

68. 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.**

69. Consideration of the suitability of an individual to become a Hackney Carriage and/or Private Hire Driver

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).

Attendance:  
BCP Council:

Michelle Fletcher – Licensing Officer  
Linda Cole – Legal Advisor to the Sub-Committee  
Michelle Cutler – Clerk to the Sub-Committee  
Rebekah Rhodes - Democratic and Overview and Scrutiny Officer  
(observing for training purposes)

The Applicant was also in attendance.

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

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

The Sub Committee was asked to consider whether the Applicant was deemed to be a 'fit and proper' person to allow them to continue with the application process for a Hackney Carriage/Private Hire Drivers Licence.

The Applicant addressed the Sub-Committee to present their case.

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 Council's Legal Advisor advised all parties of the right of appeal.

**RESOLVED that: the Sub-Committee has decided that the driver is a a 'fit and proper' person to continue with his application to hold a Hackney Carriage/Private Hire Driver's Licence.**

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the Licensing Officer's report for Agenda Item 6, as well as the verbal submissions made at the Hearing by all parties.

The Sub-Committee noted that the driver's offence had occurred over 2 years ago and considered this to be an unintentional incident. The Sub-Committee did not feel that he would put the public at risk.

In considering the test of a 'fit and proper person', the Sub-Committee had regard to the BCP Council's Hackney Carriage and Private Hire Driver Policy 2021 - 2025, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Institute of Licensing (IOL) Guidance on

determining the suitability of applicants and licensees in the Hackney and Private Hire Trades (2018) and the guidance within the Department of Transport Statutory Taxi and Private Hire Vehicle Standards (updated November 2022).

The meeting ended at 10.27 am

CHAIRMAN