

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 11 November 2020 at 10.00 am

Present: Cllr J J Butt, Cllr G Farquhar and Cllr D Farr

43. Election of Chairman

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

Voting: Unanimous

44. Apologies

There were no apologies for absence.

45. Declarations of Interests

There were no declarations of interest received.

46. 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.

47. Consideration of Public Carriage Driver, Christchurch 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).

Attendance:

From BCP Council:
Nananka Randle – Licensing Manager

Linda Cole – Legal Advisor to the Sub-Committee
Michelle Cutler – Democratic Services Officer and Clerk to the Sub-Committee

The Applicant was also in attendance.

The Licensing Officer 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.

Councillors were asked to consider the suitability of a Public Carriage Driver Licence in the Christchurch Zone and to decide whether the driver remained a 'fit and proper' person to hold a Public Carriage licence.

It was RESOLVED that having considered the written report at Agenda Item 6 and the verbal submissions of the Licensing Manager, the Operational Support Officer, the driver and his employer, for whom he was currently driving, together with responses to all of the questions asked of the parties, the Sub-Committee resolved that the driver did not remain a 'fit and proper' person at this time and there was reasonable cause to suspend the Public Carriage Driver's Licence for a period of three months, commencing on Monday 7th December 2020 in accordance with section 61(b) Local Government (Miscellaneous Provisions) Act 1976, to give time for the driver to address his issues and study the Hackney Carriage & Private Hire Licences Council Policy.

In addition to the verbal submissions, the Sub-Committee took into consideration the written documents and information contained in Agenda Item 6; the Christchurch Zone Hackney Carriage & Private Hire Licences Council Policy and the Guidance on determining the suitability of applicants and licensees in the hackney carriage & private hire trades, dated April 2018 produced by the Institute of Licensing (IOL)

Voting - Unanimous

48. Consideration of Suitability of Renewal of Public Carriage Driver Licence 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).

Attendance:

From BCP Council:

Nananka Randle – Licensing Manager

Linda Cole – Legal Advisor to the Sub-Committee

Michelle Cutler – Democratic Services Officer and Clerk to the Sub-Committee

The Applicant was also in attendance.

The Licensing Officer 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.

Councillors were asked to consider the suitability of renewal of a Public Carriage Driver Licence in the Bournemouth Zone and to decide whether the driver remained a 'fit and proper' person to hold a Public Carriage licence.

It was RESOLVED that having considered the written report at Agenda Item 7 and the verbal submissions of both the Licensing Manager and the applicant driver together with responses to all of the questions asked of the parties, the Sub-Committee determined to refuse the application for the renewal of a Private Hire Driver's Licence in accordance with *section 61(b) Local Government (Miscellaneous Provisions) Act 1976*, because the applicant was not found to be a 'fit and proper' person to hold such a licence.

In addition to the verbal submissions, the Sub-Committee took into consideration the written documents and information contained in *Agenda Item 7; Public Carriage Conditions, Bylaws and Guidance and the Statement of Policy and Guidelines relating to the relevance of convictions for public carriage licences*, both still relevant to drivers in the Bournemouth zone, 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*.

Voting - Unanimous

The meeting ended at 1.50 pm

CHAIRMAN