

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 16 February 2022 at 10.00 am

Present:-

Cllr J J Butt – Chair

Present: Cllr R Burton and Cllr D Kelsey

Also in attendance: Cllr V Slade (observing)

16. Election of Chair

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

Voting: Unanimous

17. Apologies

There were no apologies for this meeting.

18. Declarations of Interests

There were no declarations of interest.

19. 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.

20. Consideration of the Continued Suitability of a 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).

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 – Interim Head of Licensing

Wesley Freeman – Licensing Officer

Johanne McNamara – Legal Advisor to the Sub-Committee

Jill Holyoake – Clerk to the Sub-Committee

Observing only, for training purposes:

Cllr Vikki Slade – newly appointed member of the Licensing Committee

Caroline Wateridge – Licensing Officer

The Private Hire Driver named in the report was also present.

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. In view of the issues raised in the report, the Sub Committee was asked to decide whether the driver remained a 'fit and proper' person to hold a Private Hire Driver's licence.

The Sub Committee heard that the driver had failed to comply with the requirements of the BCP Hackney Carriage and Private Hire Drivers Policy, to notify the Licensing Authority within five working days of a change of address and the issue of a caution.

The driver addressed the Sub Committee and explained the mitigating circumstances involved in his case.

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

All parties were offered the opportunity of summing 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 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 have decided that the driver is a fit and proper person to hold a licence, but is to be issued with a written caution, which will remain in his file for the duration of any licence held by BCP Council.

Voting: Unanimous

The meeting ended at 11.03am.

CHAIRMAN