

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

Minutes of the Meeting held on 31 August 2022 at 10.00 am

Present:-

– Chairman

– Vice-Chairman

Present: Cllr J J Butt, Cllr D Kelsey and Cllr L Williams

Officers in attendance: Trudi Barlow – Licensing Technician  
Linda Cole – Senior Solicitor  
Joseph Tyler – Democratic Services Officer

53. Election of Chair

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

54. Apologies

Apologies were received from Cllr J Bagwell who was the first reserve. The Chair thanked Cllr G Farquhar for attending as the second reserve, however confirmed that he was not needed to step in.

55. Declarations of Interests

There were no declarations of interest.

56. 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.**

57. 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).

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:

Trudi Barlow – Licensing Officer

Linda Cole – Legal Advisor to the Sub-Committee

Joseph Tyler – Clerk to the Sub-Committee

The Applicant did not attend.

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.

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

The Applicant did not address the Sub-Committee as they failed to attend the hearing.

The Sub-Committee asked questions of the Licensing Officer and was grateful for the responses received.

The Licensing Officer was 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 of the Licensing Officer and the verbal submissions and responses to questions provided at the hearing by the Licensing Officer 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 has decided that the applicant is not a 'fit and proper' person to hold a Hackney carriage and/or Private Hire drivers licence.**

**Reasons for Decision:**

**The applicant did not attend the Licensing Sub-Committee hearing on 31 August 2022. The Sub-Committee were not convinced with the reasons given for the applicant's absence and were minded not to grant the application given they could not ascertain the requisite information the applicant. The Sub-Committee felt that the applicant's failure to attend the hearing was irresponsible and did not demonstrate the character required to hold a Hackney carriage and/or Private Hire drivers licence.**

**The Sub-Committee took into consideration the written documents and information contained in Agenda Item 6; 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 verbal representations made at the Hearing on 31 August 2022.**

The meeting ended at 10.30 am

CHAIRMAN

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