

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE - 5  
MARCH 2018

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING – 18  
JUNE 2018

(To be read in conjunction with the Agenda for the Meeting)

**Present**

Cllr Patricia Ellis (Chairman)  
Cllr Bob Upton (Vice Chairman)

Cllr Tony Gordon-Smith  
Cllr Anna James

Cllr Peter Isherwood (Substitute)

**Apologies**

Cllr Maurice Byham

49. MINUTES (Agenda item 1.)

The minutes of the meeting held on 15 January 2018 were confirmed and signed.

50. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 2.)

Apologies were received from Councillor Maurice Byham. Councillor Peter Isherwood attended as a substitute.

51. DECLARATIONS OF INTEREST (Agenda item 3.)

There were no apologies for absence.

52. EXCLUSION OF PRESS AND PUBLIC (Agenda item 4.)

At 10.04am it was

RESOLVED that, pursuant to Procedure Rule 20 and in accordance with Section 100B(5) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by section 100I of the Act) of the description specified in paragraph 1 of the revised Part 1 of Schedule 12A to the act, namely:-

1. Information relating to any individual

53. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE (Agenda item 5.)

The Sub-Committee considered a report regarding a review of a Hackney Carriage Driver's Licence.

The driver was in attendance at the meeting and confirmed that he had read and understood the papers which he had received. It was asked that his brother, who was in the second case, left the room.

Members asked questions of the driver and what lead to the incident referred to in the exempt report.

The Sub-Committee reminded the driver of his responsibilities for being a Waverley Borough Council licensed Hackney Carriage Driver and asked whether he understood the policy and accepted the conditions imposed. The Driver confirmed that he did but on this instance, he was not aware of the circumstances.

The Sub-Committee withdrew at 10.40am to consider whether or not the driver could continue to operate. Following the Sub-Committees deliberation the meeting resumed at 10.52am. The Council's solicitor had been asked to advise the Sub-Committee during their deliberations on the wording of their decision.

RESOLVED that the driver's licence be suspended for a period of 28 consecutive days, which was to take effect at the end of the period of 21 days which commenced on the day on which notice of the suspension was given to the driver (6 March 2018). Full reasons for the decision would be noted in the exempt minute.

54. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE (Agenda item 6.)

The Sub-Committee considered a report regarding a review of a Hackney Carriage Driver's Licence.

The driver was in attendance at the meeting and confirmed that he had read and understood the papers which he had received. It was asked that his brother, who was in the second case, left the room.

Members asked questions of the driver and what lead to the incident referred to in the exempt report.

The Sub-Committee reminded the driver of his responsibilities for being a Waverley Borough Council licensed Hackney Carriage Driver and asked whether he understood the policy and accepted the conditions imposed. The Driver confirmed that he did.

The Sub-Committee withdrew at 1.12pm to consider whether or not the driver could continue to operate. Following the Sub-Committees deliberation the meeting resumed at 1.21pmm. The Council's solicitor had been asked to advise the Sub-Committee during their deliberations on the wording of their decision.

RESOLVED that on the balance of probabilities the driver was a fit and proper person to hold a Hackney Carriage/Private Hire Vehicle Licence. Full reasons are attached to the exempt minute.

55. APPLICATION FOR A NEW PRIVATE HIRE DRIVER'S LICENCE (Agenda item 7.)

The Sub-Committee considered a report regarding a review of a Hackney Carriage Driver's Licence.

The driver was in attendance at the meeting and confirmed that he had read and understood the papers which he had received. It was asked that his brother, who was in the second case, left the room.

Members asked questions of the driver and what lead to the incident referred to in the exempt report.

The Sub-Committee reminded the driver of his responsibilities for being a Waverley Borough Council licensed Hackney Carriage Driver and asked whether he understood the policy and accepted the conditions imposed. The Driver confirmed that he did. Questions were asked of the incident which had occurred some time ago and what they had done since, including a new job and starting up their own business in a customer service role.

The Sub-Committee withdrew at 1.44pm to consider whether or not the driver could continue to operate. Following the Sub-Committees deliberation the meeting resumed at 2.15pm. The Council's solicitor had been asked to advise the Sub-Committee during their deliberations on the wording of their decision.

RESOLVED that on the balance of probabilities the driver was a fit and proper person to hold a Hackney Carriage/Private Hire Vehicle Licence. Full reasons are attached to the exempt minute.

**The meeting commenced at 10.00 am and concluded at 2.18 pm**

**Chairman**