

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE
18 APRIL 2016

SUBMITTED TO THE LICENSING & REGULATORY COMMITTEE – 7 JULY 2016

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

Present

Cllr Simon Inchbald (Chairman)
Cllr Patricia Ellis (Vice Chairman)
Cllr Peter Isherwood

Cllr Anna James
Cllr Bob Upton

49. MINUTES (Agenda item 1.)

The Minutes of the Meeting held on 28 January 2016 were confirmed and signed.

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

No apologies for absence were received.

51. DECLARATIONS OF INTEREST (Agenda item 3.)

There were no interests declared under this heading.

PART 1 - RECOMMENDATIONS TO THE COMMITTEE

There were no matters falling within this category.

PART 11 - MATTERS OF REPORT

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

52. APPLICATION FOR EXEMPTION FROM PRIVATE HIRE PLATE DISPLAY
(Agenda item 4.)

The Sub-Committee considered a request from Mr Andrew Phillips for exemption from the requirement to display the private hire licence plate on a private hire vehicle licensed by the Council. Mr Andrew Phillips was represented at the meeting by his son, Mr Richard Phillips.

The Sub-Committee noted that Mr Phillips had been asked to supply a service to two private businesses at Farnborough Airport for a private hire service to be driven in a car that does not display a licence plate.

The request was considered and it was

RESOLVED that the request for exemption from the requirement to display a private hire licence plate on any occasion when the vehicle is used for chauffeur purposes be granted to Mr Phillips in respect of his vehicle, Private Hire Plate no. 259 because the nature of the applicant's business is such that there is justification for not displaying the plate. The Plate and paper copy of the licence to be carried in the vehicle at all times.

The Sub-Committee grant the request but the exemption only operates until further notice and the Council reserves the right to reconsider the exemption should circumstances arise which warrant doing so.

53. EXCLUSION OF PRESS AND PUBLIC (Agenda item 5.)

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:-

Information relating to any individual (paragraph 1)

54. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (REQUESTING EXEMPTION FROM THE GOOD CONDUCT CERTIFICATE REQUIREMENT IF RESIDENT FOR LESS THAN 5 YEARS) (Agenda item 6.)

The Sub-Committee considered a report regarding an application where the applicant had requested exemption from the Good Conduct Certificate as he had been resident in the country for less than 5 years.

The applicant attended the meeting and at his request was accompanied by an official interpreter. The applicant confirmed through the interpreter that he had received and understood the report.

Following questions by the Sub-Committee and responses from the driver the Sub-Committee withdrew at 10.44 am.

Following the Sub-Committee's deliberation the meeting resumed at 11.45 am. The Council's solicitor had been asked to advise the Sub-Committee during their deliberation on the wording of their decision.

RESOLVED that, on the balance of probabilities the Sub-Committee did not consider the applicant to be a fit and proper person to hold a Private Hire driver's licence and decided to refuse the application for the reasons in the [Exempt] Annexe to these minutes.

55. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE (Agenda item 7.)

The Sub-Committee considered a report regarding an application to renew a Hackney Carriage/Private Hire Driver's licence.

The driver attended the meeting and confirmed he had received and understood the report.

Following questions by the Sub-Committee and responses from the driver the Sub-Committee withdrew at 12.24 pm.

Following the Sub-Committee's deliberation the meeting resumed at 12.57 pm. The Council's Solicitor had been asked to advise the Sub-Committee during their deliberation on the wording of their decision.

RESOLVED that, on the balance of probabilities the driver was considered to be a fit and proper person to hold a driver's licence and the application to renew his Hackney Carriage/Private Hire Driver's licence was granted as set out in the [Exempt] Annexe to the minutes.

56. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE (Agenda item 8.)

The Sub-Committee considered a report regarding an application for a Hackney Carriage/Private Hire driver licence which had previously been revoked.

The applicant attended the meeting accompanied by two supporters. He confirmed that he had received and understood the report.

Following questions by the Sub-Committee and responses from the applicant the Sub-Committee withdrew at 14.14 pm.

Following the Sub-Committee's deliberation the meeting resumed at 15.19 pm. The Council's Solicitor had been asked to advise the Sub-Committee during their deliberation on the wording of their decision.

RESOLVED that, on the balance of probabilities the Sub-Committee considered that the applicant was a fit and proper person to hold a Hackney Carriage/Private Hire driver's licence as set out
In the [Exempt] Annexe to the minutes.

57. LEGAL ADVICE (Agenda item 9.)

The meeting commenced at 10.00 am and concluded at 3.21 pm