

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE - 4
DECEMBER 2023

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING -
<DATE>

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

Present

Cllr Jacquie Keen (Chair)
Cllr Maxine Gale

Cllr Michael Goodridge
Cllr George Murray

Apologies

Cllr Jerome Davidson and Cllr James Staunton

11. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 1.)

Apologies were received from Cllr Jerome Davidson and Cllr James Staunton. Cllr Maxine Gale attended as a substitute.

12. DECLARATIONS OF INTEREST (Agenda item 2.)

There were no declarations of interest submitted for this meeting

13. EXCLUSION OF PRESS AND PUBLIC (Agenda item 3.)

The Chair proposed a motion to go into exempt session as set out in the agenda and this was AGREED.

14. LICENSING ACT 2003 - APPLICATION FOR A NEW HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE (Agenda item 4.)

The Committee considered the report, supporting material and a submission from the driver on the circumstances leading to the hearing.

The Committee considered carefully the information provided and heard the drivers explanation of events.

After hearing all the evidence, the Committee retired for a short while to deliberate.

In conclusion the Committee felt that, taking into account the information set out within the papers, the evidence provided, and the answers supplied by the driver in response to the sub-committee's questions, that they were not satisfied that he was a 'fit and proper person' to hold a Hackney Carriage/ Private Hire Licence at this time. According to Waverley's Licensing Policy, para 6.10 and 6.13, 7 and 3 years respectively should have elapsed since completion of the relevant convictions and

this had not elapsed. The Committee were not satisfied that any special reasons exist as to why the policy should be departed from. Therefore the application for a Hackney Carriage/Private Hire licence should be REFUSED.

15. LICENSING ACT 2003 - APPLICATION FOR A NEW HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE (2) (Agenda item 5.)

The Committee considered the report, supporting material and a submission from the driver on the circumstances leading to the hearing. The Committee considered carefully the information provided and heard the drivers explanation of events. After hearing all the evidence, the Committee retired for a short while to deliberate.

In conclusion the Committee felt that, taking into account the information set out within the papers, the evidence provided, and the answers supplied in response to their questions, that they were not satisfied that the driver was a 'fit and proper person' to hold a Hackney Carriage/ Private Hire Licence. The evidence showed he had knowingly been dishonest in completing his application to another authority immediately after revocation of his licence by Waverley BC and the inconsistencies in the evidence did not satisfy the committee of his suitability to hold a licence.

Therefore the application for a Hackney Carriage/Private Hire licence should be REFUSED.

16. LICENSING ACT 2003 - APPLICATION FOR A NEW HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE (3) (Agenda item 6.)

The hearing for this application was postponed to a later date as the applicant was unable to attend.

17. LEGAL ADVICE (Agenda item 7.)

Legal advice was sought throughout the hearing and deliberation.

The meeting commenced at 10.00 am and concluded at 11.44 am

Chairman