

MINUTES OF **GENERAL LICENSING SUB-COMMITTEE PANEL**

MEETING DATE **Tuesday, 11 February 2020**

MEMBERS PRESENT: Councillors Renee Blow (Vice-Chair), Jane Bell, Jacky Alty, Gareth Watson and Peter Mullineaux

OFFICERS: Chris Ward (Licensing Officer), Tasneem Safdar (Senior Solicitor) and Coral Astbury (Democratic and Member Services Officer)

**OTHER MEMBERS
AND OFFICERS:**

PUBLIC: 0

39 Minute Silence

The Vice-Chair requested that a minutes silence be held in memory of Councillor Ken Jones who had been Chair of the Licensing and Public Safety Committee from May 2019 to January 2020, who had sadly passed away at the weekend.

40 Apologies for absence

None.

41 Declarations of Any Interest

None.

42 Exclusion of the Press and Public

RESOLVED: (Unanimously)

That the press and public be excluded for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

By Virtue of Paragraph 1: Information relating to any individual.

43 Private Hire Driver Licence Application

The panel reconvened to consider a new application for a Private Hire Driver's Licence following an earlier decision to defer the hearing, in order to allow the applicant time to gather further information in respect of the convictions raised on his DBS.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

Representations were also received from the Council's Licensing Officer who explained that the applicant was only 13 years old at the time of the indecent assault conviction. The applicant had also advised Officers that he had suffered a head injury 4-5 years ago and that his father had died 7 years ago.

The applicant and his representatives were present at the hearing and made representations. The applicant advised the panel that he had suffered a head injury 4-5 years ago and suffered from memory loss, as a result he was unable to remember the circumstances of any of the offences that took place.

On behalf of the applicant, the representative explained that he had known the applicant since Summer 2019 and he had found the applicant to be an honest and trustworthy person. The representative explained to the panel, the applicant had advised him that he had been trying to break up a fight and was charged and convicted of indecent assault, along with the other individuals present.

The Panel were informed that they could depart from their policy if they found exceptional circumstances, however, it was for the panel to provide reasons for this departure.

In reaching their decision the panel considered the following:

1. Both written and oral evidence presented in connection with the hearing
2. The Local Government (Miscellaneous Provisions) Act 1976/ Town Police Clauses Act 1847 (where applicable)
3. Statement of Policy and Guidelines relating to the relevance of convictions, formal/simple cautions, complaints and other matters which may impact on the granting of a licence
4. The fit and proper person test

RESOLVED: (Unanimously)

The application for a Private Hire Driver's Licence be refused, as the panel were of the view that no exceptional circumstances had been showed by the applicant, which would allow them to depart from their policy.

Chair

Date