NORTH LINCOLNSHIRE COUNCIL

LICENSING (MISCELLANEOUS) SUB-COMMITTEE

17 March 2022

PRESENT: - Councillor K Vickers (Chairman)

Councillors P Vickers (Vice-Chair), P Clark, T Ellerby and H Rayner

The meeting was held in Room F01e, Conference Room, Church Square House.

1829 **SUBSTITUTIONS -** There were no substitutions at the meeting.

1830 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY -** There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests, and significant contact with applicants, objectors or third parties (lobbying).

1831 **TO TAKE THE MINUTES OF THE MEETING HELD ON 3 FEBRUARY 2022 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN -** **Resolved** – That the minutes of the meeting held on 3 February 2022, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

1832 **ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES THAT MUST BE SPECIFIED -** **Resolved** – That the public be excluded from the meeting for consideration of the following item (Minute 1833 refers) on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

1833 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - RENEWAL OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE -** The Director: Economy and Environment submitted a report advising members of an application for a Hackney Carriage and Private Hire Vehicle Drivers Licence to be determined by the sub-committee.

The report contained background information on the process for determining such applications, the information to be taken into account and the circumstances in which the sub-committee could refuse a licence.

The options available to the sub-committee when considering such applications were:

➢ To renew the licence as applied for with no additional conditions or restrictions other than those normally applied to such licences.

➢ To renew the licence subject to additional conditions or restrictions.

➢ To refuse to renew the licence.

Should the sub-committee refuse the licence or impose additional terms, conditions or restrictions then the applicant may appeal to the Magistrates Court within 21 days from the date on which they were notified of the decision.

Should the Magistrates uphold the decision of the council, the applicant had further recourse to the Crown Court.

The procedure for dealing with such applications at meetings of the sub-committee had previously been circulated to members.

The Licensing Authority presented the reason for the licence being referred to the sub-committee for determination.

The licence holder attended the hearing with his legal representative and a friend, who made submissions and responded to questions.

Resolved - The Licensing (Miscellaneous) Sub-Committee carefully considered all of the representations submitted by the licence holder's legal representative and the Licensing Authority, including their responses to members' questions.

Following the completion of the hearing, the sub-committee unanimously agreed to the suggestion provided by the legal representative that the licence holders Hackney Carriage and Private Hire Vehicle Drivers Licence be renewed for one year.

Should there be no incidents reported to the Licensing Authority during that year, then the licence holder would be able to apply for a three-year licence in accordance with the council's Taxi Licensing Policy.

The sub-committee took this course of action as they considered the licence holder to be a fit and proper person under section 51 of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Authority would now process the renewal of the licence and issue the documentation.