

NORTHUMBERLAND COUNTY COUNCIL

LICENSING AND REGULATORY SUB-COMMITTEE

At a meeting of the **Licensing and Regulatory Sub-Committee held in the Chairman's Dining Room, County Hall, Morpeth, NE61 2EF on Thursday 24 May 2018 at 10.00 a.m.**

PRESENT

Councillor J I Hutchinson
(in the Chair)

MEMBERS

T Cessford
R Gibson

I Hutchinson
K Stow (Reserve)

OFFICERS

H Bowers
M Bulman
V Fox
T Hardy

Democratic Services Officer
Solicitor, Regulation
Licensing Officer
Licensing Manager

1. TERMS OF REFERENCE

RESOLVED that the Terms of Reference be agreed.

2. ELECTION OF CHAIR

RESOLVED that Councillor Ian Hutchinson be elected as Chair for the duration of the meeting.

3. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:-

(a) that under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the Agenda as they involved the likely discussion of exempt information as defined in Part 1 of the Schedule 12(A) of the 1972 Act, and
(b) that the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

Agenda Item 4, Paragraph 1 of Part 1 of Schedule 12A

"information relating to any individual."

PART II

3. REPORT OF THE HEAD OF PUBLIC PROTECTION

Case 05/04/18/381

The Licensing Manager introduced the report and explained that an application had been received which officers were unable to deal with under delegated powers.

The applicant was asked to confirm his address.

The Sub-Committee was asked to consider the application and the applicant's representations along with the written and oral report of the Licensing Manager and relevant law and guidance policy to determine whether or not the applicant was a fit and proper person to hold such a licence. It was stated that the burden of proof rested upon the applicant and the standard of proof rested upon the civil standard of proof.

The licence holder submitted his case in support of his application and then answered questions from the sub-committee.

Members of the sub committee remained in the meeting to deliberate and make their decision and all others, except the legal advisor left the room.

When all were asked to return to the meeting the Chair declared on behalf of the sub committee:

The sub committee have considered all representations before them and have determined to **GRANT** the private hire driver's licence.

Reasons:

- 1) Although sub committee took the speeding offences very seriously, on this occasion the offences had taken place in the applicant's personal vehicle and not in a licensed vehicle, there were two offences to come off his licence in a few months and therefore they deemed him to be a fit and proper person.

Case No. 24.05.18/382

The applicant was not in attendance and had requested that the application be deferred to a future meeting. The application was deferred to the next sub committee to give the applicant an opportunity to attend.

RESOLVED members agreed that the applicant be invited the Licensing & Regulatory sub committee on 31 May 2018.

Case No. 24.05.18/382

The applicant was not in attendance.

The Licensing Manager informed the sub committee that an issue had arisen associated with the licence holder's suitability to continue to hold a hackney carriage driver's licence.

The applicant had requested an adjournment to a future meeting to be held in the afternoon due to a medical condition.

RESOLVED members agreed that the applicant be asked to provide a full medical report within 28 days or, the hackney carriage driver's licence would be suspended until such a report was received by the Council.

CHAIR _____

DATE _____