



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 17 SEPTEMBER 2024 at 10:00 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Adatia

Councillor Pickering

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1. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business to be discussed on the agenda.

There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Licensing Enforcement Sub-Committee held on 30 July 2024 be confirmed as a correct record.

5. PRIVATE SESSION

RESOLVED:

That the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information,

as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it was considered that the public interest in maintaining the information as exempt outweighed the public interest in disclosing the information.

Paragraph 1

Information relating to an individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority).

Paragraph 7

Information relating to the any action taken or to be taken in connection with the prevention, investigation or persecution of crime.

- B1) APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE
- B2) APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE AND PRIVATE HIRE OPERATORS LICENCE
- B3) DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE

6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for the grant of a Hackney Carriage and Private Hire Vehicle Driver's Licence.

The applicant was present. The Licensing Enforcement Officer and Legal Adviser to the Sub-Committee were also present.

The Chair led introductions and informed those present of housekeeping and evacuation procedures.

The Licensing Enforcement Officer presented the report and outlined details of the applicant, including the relevant City Council Guidelines, and also presented the summary prepared by the Legal Advisor.

The applicant was invited to set out their representations and answered questions from Members.

All parties present were given the opportunity to sum up their positions and answered questions from Members.

The Sub-Committee received legal advice from the Legal Adviser to the Sub1Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be announced in writing within five working days.

The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Governance Services to leave the meeting. The Sub-Committee then deliberated in private to consider their decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for the grant of a Hackney Carriage & Private Hire Vehicle Driver's Licence be REJECTED as Members of the Sub-Committee were not satisfied that the applicant was a fit and proper person to hold a licence.

The applicant would be provided with reasons for the decision in writing within 5 working days.

All parties would be advised of the right to appeal the decision.

7. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE AND PRIVATE HIRE OPERATOR LICENCE

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for the grant of a Hackney Carriage and Private Hire Vehicle Driver's Licence and Private Hire Operator Licence.

The applicant was present. The Licensing Enforcement Officer and Legal Adviser to the Sub-Committee were also present.

The Chair led introductions and informed those present of housekeeping and evacuation procedures

The Licensing Enforcement Officer presented the report and outlined details of the applicant, including the relevant City Council Guidelines.

The applicant was invited to set out their representations and answered questions from Members.

All parties present were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub1Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be announced in writing within five working days.

The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Governance Services to leave the meeting. The Sub-Committee then deliberated in private to consider their decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for the grant of a Hackney Carriage and Private Hire Vehicles Licence be GRANTED as Members of the Sub-Committee were satisfied that the applicant was a fit and proper person to hold a licence.

The applicant would be provided with reasons for the decision in writing within 5 working days.

All parties would be advised of the right to appeal the decision.

8. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE

The Director of Neighbourhood and Environmental Services submitted a report that required Members to make a determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence.

The driver was present with his interpreter. The Licensing Enforcement Officer and Legal Adviser to the Sub-Committee were also present.

The Chair led introductions and informed those present of housekeeping and evacuation procedures.

The Licensing Enforcement Officer presented the report and outlined details of the application, including the relevant City Council Guidelines.

The driver was invited to set out his representations, and he provided a written statement to the Sub-Committee in the meeting. The statement was read by the Licensing Enforcement Officer to all attendants. With assistance in translation from his interpreter, the driver answered questions from Members.

The Licensing Enforcement Officer presented the witness statement from Leicestershire Police.

All parties present were given the opportunity to sum up their positions and make any final comments.

The Chair requested further information, to be provided outside of the meeting, regarding the causes of the delay in the application being brought to the Committee.

The Sub-Committee received legal advice from the Legal Adviser to the Sub1Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be announced in writing within five working days.

The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Governance Services to leave the meeting. The Sub-Committee then deliberated in private to consider their decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the driver's criminal conviction on 24 June 2024 for 'failure to give information as to identity of driver etc.', constituted 'any other reasonable cause' under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 and that the Hackney Carriage & Private Hire Vehicle Driver's Licence be

REVOKED.

The driver would be provided with reasons for the decision in writing within 5 working days.

All parties would be advised of the right to appeal the decision.

9. ANY OTHER URGENT BUSINESS

There being no other urgent business, the meeting closed at 12:15pm.