



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 6 DECEMBER 2022 at 5:30 pm

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Nangreave

Councillor O'Donnell

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18. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair for the meeting.

19. APOLOGIES FOR ABSENCE

There were no apologies for absence.

20. 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 made.

21. 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 that 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 any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

B1) Personal Licence review application.

B2) Application for the grant of a hackney carriage and private hire vehicle driver's licence.

22. PERSONAL LICENCE REVIEW APPLICATION

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine the review of a personal licence issued by this authority.

The Personal Licence Holder was not present at the meeting. The Licensing Team Manager presenting the report and Legal Adviser to the Sub-Committee were present.

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

Councillors sought assurance that the Personal Licence holder had been served notice of the hearing which was confirmed. Also, a confirmatory email had been received from the Personal Licence Holder prior to the hearing indicating that he would attend. In the absence of a good reason for non-attendance, it was agreed to continue with the hearing.

The Licensing Team Manager presented the report and outlined the details of the application, including the relevant City Council guidelines, and conviction outlined in the report, and answered questions from Members.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making their decision.

The Sub-Committee were also advised of the relevant policy and statutory

guidance that needed to be taken into account when making their decision.

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 publicly announced in writing within five working days. The Chair informed the meeting 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 Democratic Support Officers to leave the meeting. the Sub-Committee then deliberated in private to give advice on the wording of the decision.

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

RESOLVED:

That the Personal Licence be REVOKED.

The Personal Licence Holder would be provided with the reasons for the decision in writing within five working days.

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

23. APPLICATION FOR THE GRANT OF A HACKNEY 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 Team Manager 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 Team Manager presented the report and outlined details of the applicant, including the relevant City Council Guidelines.

The applicant was invited to set out the reasons why he ought to be granted the Hackney Carriage and Private Hire Vehicle Driver's Licence and answered questions from Members and Officers.

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 Sub-

Committee 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 publicly announced in writing within five working days.

The Chair informed the meeting 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 Democratic Support Officer 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 new Hackney Carriage and Private Hire Vehicle Driver's Licence be REFUSED as Members 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.

24. ANY OTHER URGENT BUSINESS

There being no further items of urgent business, the meeting closed at 18:53pm.