



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 9 JULY 2024 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Cank

Councillor Chauhan

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1. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair.

The Chair welcomed those present and led on introductions.

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

AGREED:

That the minutes of the meeting held on 9 March 2024 be confirmed as the 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 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.

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. A 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 application, including the relevant City Council Guidelines.

The applicant was invited to set out his representations 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 announced in writing within five working days.

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

The Chair then asked all but Members of the Sub-Committee and Governance Support Officers 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.

The applicant would be advised of the right to appeal the decision.

7. PERSONAL LICENCE REVIEW APPLICATION

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for review of a Personal Licence.

The Personal Licence holder was not able to attend the hearing and had submitted written representations which included a request that any final decision to revoke the Licence should await the outcome of an appeal in other proceedings which was being prepared.

A Licensing Team Manager and Legal Adviser to the Sub-Committee were also present.

Following discussion, the Sub-Committee decided to proceed with the hearing in the Personal Licence holder's absence.

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

application, including the relevant City Council Policy.

The Personal Licence holder's written representations were read to the Sub-Committee.

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 announced in writing within five working days.

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

RESOLVED:

That the Personal License be revoked for the promotion of the crime prevention licensing objective (under section 132A(8) of the Licensing Act 2003).

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

The Personal Licence holder would be advised of the right to appeal the decision.

8. ANY OTHER URGENT BUSINESS

There being no further business, the meeting closed at 11.10am.