



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: Tuesday, 25 February 2025 at 10:00 am

P R E S E N T :

Councillor Pickering (Chair) (am)
Councillor Dr Barton (Chair) (pm)

Councillor Dr Barton
Councillor Bonham
Councillor Kennedy-Lount
Councillor Pickering

Councillor Bonham

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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.

3 Declarations of Interest

Members were asked to declare any interests they had in the business to be discussed.

There were no declarations of interest.

4 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.

5 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 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 their 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 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 Vehicle Driver's Licence be REFUSED as the Sub-Committee was 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.

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.

Councillor Barton joined the meeting.

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 their 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.

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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 Vehicle Driver's Licence be GRANTED as the Sub-Committee was 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 Determination of Continued Entitlement to Retain 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.

Councillor Barton took on the role as Chair from Councillor Pickering.

Councillor Barton, as Chair, announced a comfort break for the duration of 5 minutes prior to the start of the application and the meeting resumed at 11:47am.

The driver 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.

Following discussion between the driver, Members of the sub-committee and officers, Members were made aware by the driver that they had submitted an appeal to the Magistrates court. The appeal was against the decision to suspend him on the night of the incident in August 2024. The legal advisor to the sub-committee informed Members that, while they had not received notice of an appeal, if an appeal had been made by the driver, then the appeal took precedence and the report before the committee was no longer relevant and there was no requirement on the sub-committee to make any determination.

The Chair thanked the driver for attending.

8 Determination of Continued Entitlement to Retain 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 alongside their translator. Rachel Derry, Licensing Enforcement officer 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 their 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 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 be issued with a warning and be allowed to retain entitlement to a hackney carriage and private hire vehicle driver's licence. The warning to remain on file and to be disclosed at any future hearings.

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.

9 Any Other Urgent Business

There being no other urgent business, the meeting closed at 12:47pm.