



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 26 NOVEMBER 2024 at 10:00 am

P R E S E N T:

Councillor Dr Barton (Chair)

Councillor Chauhan

Councillor Cank

* * * * *

1. APPOINTMENT OF CHAIR

Councillor Barton 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 may have in the business to be discussed.

There were no declarations of interest.

4. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the previous meetings held on 20th August 2024 and 29th October 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 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) DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE

6. 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 continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence.

The driver, his Translator and his legal representative, Mr Borhany, were present. The Licensing Team Manager, the Legal Adviser to the Sub-Committee and a Leicester City Council Solicitor were also present.

The Chair welcomed those present and led on introductions.

The Licensing Team Manager presented the report and outlined details of the case, including the relevant City Council Guidelines. Mr Borhany, on behalf of the driver, was invited to set out the reasons why the driver's entitlement to a Hackney Carriage and Private Hire Vehicle Driver's Licence should continue and answered questions from Members of 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.

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 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 driver's Hackney Carriage and Private Hire Vehicle Drivers Licence be REVOKED.

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

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

7. PUBLIC SESSION

The meeting entered into public session.

The Chair announced a five minute adjournment for a comfort break.

8. APPLICATION FOR STREET TRADING CONSENT

The Director of Neighbourhood and Environmental Services submitted a report which asked Members to determine an application for Street Trading Consent for ZMS Fresh Fruit and Veg Ltd.

The Chair welcomed those present and led introductions.

The applicant, Mr Sharara, was present. Sonia Spink, Markets Manager, was present having made representations. Also present was the Licensing Team Manager, Legal Adviser to the Sub-Committee and a Leicester City Council Solicitor.

The Licensing Enforcement Officer presented the report and outlined details of

the application, including the relevant City Council Guidelines.

Sonia Spink was invited to present their objection to the application.

Mr Sharara was invited to present their case, and answered questions from Members of the Sub-Committee, Officers and representatives.

All parties 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 and were advised of the options available to them in 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 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 Governance 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 Street Trading Consent for ZMS Fresh Fruit and Veg Ltd be REFUSED.

The applicant would be provided with the reasons for the decision in writing.

9. ANY OTHER URGENT BUSINESS

There being no other urgent business, the meeting closed at 12:30pm.