

Minutes

Meeting name	Licensing Sub-Committee
Date	Monday, 16 January 2023
Start time	10.30 am
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH

Present:

Chair Councillor P. Posnett MBE (Chair)

Councillors J. Douglas E. Holmes

Officers Democratic Services Manager
Licensing & Compliance Officer (Business Advisor: Licensing) (SG)
Licensing Enforcement Officer
Democratic Services Officer (SE)

Minute No.	Minute
LSC5	<p>Election of a Chairman Councillor Posnett was elected as the Chairman for this Licensing Sub-Committee meeting.</p>
LSC6	<p>Apologies for absence There were no apologies for absence.</p>
LSC7	<p>Declarations of Interest It was noted that Councillor Douglas had taken part in a previous sub committee concerning the same driver. She advised that she entered this meeting with an open mind and had an unbiased approach.</p> <p>It was also noted that Councillor Chandler had not taken part in this sub committee meeting due to her previous involvement in a sub committee concerning the same driver.</p>
	<p>EXCLUSION OF PRESS AND PUBLIC RESOLVED</p> <p>That the press and public be excluded from the meeting because the business to be transacted contained information relating to an individual and information that was likely to reveal the identity of an individual.</p>
LSC8	<p>Hackney Carriage and Private Hire Policy 2021 - Alleged Breach The Licensing Sub-Committee received testimony from the Licensing Enforcement Officer. The Licensed Driver was not present. As a result of the evidence received the Licensing Sub-Committee made their determination.</p> <p>RESOLVED</p> <p>The Licensing Sub-Committee determined that</p> <p>(1) The sub committee noted their disappointment that the Licensed Driver did not attend the hearing to give their representations in person. The decision was taken to proceed in their absence on the basis that it was confirmed that the driver had received the paperwork and notification of the time and date of the hearing and had provided written representations;</p> <p>(2) On consideration of the evidence, the Enforcement Licensing Officer's report, the relevant legislation, the written representations provided by the Licensed Driver, case law and policies the sub committee took the decision to:</p> <p>(i) Add 12 points to the MBC driver's record, having applied the maximum points available to the breach of the policy identified;</p>

(ii) Suspend the Licensed Driver's Combined Private Hire and Hackney Drivers' Licence for a period of up to 2 months, the suspension to end upon successful completion of Driver Remedial Training which must include focus on passenger safety;

(3) A reminder be issued to the licensed driver that in line with the Council's policy and the number of points added by the sub committee at that meeting any future breach would be referred back to the Licensing Sub Committee for consideration.

The driver had a right of appeal within 21 days of notice of this decision.

The meeting closed at: 11.40 am