

## LICENSING AND APPEALS SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held on 5 June 2019 in the Council Chamber, Council Offices, Holt Road, Cromer at 1.45 pm.

**Sub-Committee:** Mrs P Grove-Jones (Chairman)  
Mr H Blathwayt  
Mr N Housden

**Officers in Attendance:** Public Protection Manager, Licensing Enforcement Officer, Legal Advisor and Democratic Services & Governance Officer, Legal Assistant (observing)

**Also present:** Mr P Bütikofer (observing)

### 1 APOLOGIES

None

### 2 APPOINTMENT OF CHAIRMAN

#### RESOLVED

To appoint Councillor Mrs P Grove-Jones as Chairman of the meeting.

### 3 ITEMS OF URGENT BUSINESS

None.

### 4 DECLARATIONS OF INTEREST

Councillor N Housden declared that one of the cases related to his Ward.

### 5 EXCLUSION OF PRESS AND PUBLIC

#### RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A (as amended) to the Act.

### 6 (WK/190007885) - COMPLAINT RECEIVED REGARDING PRIVATE HIRE OPERATOR AND DRIVER IN NORTH NORFOLK

Present: Licence Holder

The Panel Members and Officers introduced themselves.

The Legal Advisor outlined the purpose of the hearing and explained the procedure for the meeting.

The Public Protection Manager presented the report, which related to a complaint which had been received concerning an NNDC licenced driver which merited further consideration as to whether or not he remained a fit and

proper person to hold licences (drivers and operators) in North Norfolk. She stated that the Licence Holder had been requested to outline his booking procedure. She outlined the main points and options for determination.

There were no questions relating to the report.

The Chairman invited the Licence Holder to put his case. He explained that his vehicle had a punctured tyre but he had contacted the person who had made the booking in question and completed the booking as soon as he was able to.

A copy of an email which had been received from the complainant was circulated to the Panel and the Licence Holder.

The Sub-Committee questioned the Licence Holder as to his view of the nature of the complaint and whether or not he had contingency plans in place.

The Licence Holder considered that the complaint was malicious and said there had been previous issues with someone trying to get back at him. He said that he always made sure he was never late for appointments and always turned up, and that he loved his job. He had other companies he could ring but did not call them quickly enough when he had the puncture.

The Chairman invited closing statements.

The Public Protection Manager referred the Sub-Committee to matters contained in the report.

The Licence Holder reiterated that he made sure he was on time and was helpful to his customers.

The Sub-Committee retired at 2.10 pm and returned at 2.40 pm.

The Chairman read the determination. She advised the Licence Holder to keep a driver's log.

## **RESOLVED**

**That no further action be taken.**

### **7 (WK/190001738) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK**

Present: Applicant

The Panel Members and Officers introduced themselves.

The Legal Advisor outlined the purpose of the hearing and explained the procedure for the meeting.

The Public Protection Manager presented the report, which related to an application to drive hackney carriage or private hire vehicles where a Disclosure and Barring Service report merited further consideration. She outlined the options for determination.

The Chairman invited questions to the Public Protection Manager.

The Applicant said that an allegation referred to by the Public Protection Manager was false and had been dropped by the Police. No further investigations had been carried out in respect of the issue since then. He considered that his licence had been taken away on the basis of those allegations.

The Public Protection Manager explained that the application had come before the Sub-Committee as there were issues which needed discussion and it was stated in the report that no further action had been taken in relation to the allegation referred to by the Applicant. She referred to the 'fit and proper' test in determining applications for licences to drive taxis.

The Applicant reiterated that he was innocent and no action had been taken against him. He stated that allegations were made all the time against taxi drivers.

The Applicant answered Members' questions regarding his previous and prospective employment and the nature of his email correspondence with the Authority.

The Legal Advisor referred to the entries on the Applicant's DBS summary and sought clarification from the Applicant as to the allegation he was referring to.

The Applicant explained the nature of the allegation and stated that he was frustrated that this matter had been brought up again when there had been no court case.

The Chairman invited closing statements.

The Applicant did not wish to make a closing statement.

The Public Protection Manager referred to the information which had been presented to the Sub-Committee and the options available for determination.

The Sub-Committee retired at 3.07 pm and returned at 3.53 pm.

The Chairman read the determination.

## **RESOLVED**

**That the applicant is not granted a licence to drive Hackney or Private Hire Vehicles in North Norfolk.**

The meeting closed at 3.55 pm

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Chairman