

**EXTRAORDINARY LICENSING COMMITTEE held at 6.00 pm at
COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 30
JUNE 2010**

Present:- Councillor E W Hicks – Chairman
Councillors R M Lemon, J I Loughlin and D G Perry.

Officers in attendance:- M Hardy (Licensing Officer), M Perry
(Assistant Chief Executive) and C Roberts (Democratic
Services Officer)

LC13

EXCLUSION OF PRESS AND PUBLIC

The Assistant Chief Executive informed the meeting that the driver in one of the cases due to be heard had surrendered his licence to the Council, so there was no longer a need to hear that case.

RESOLVED that the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information within the meaning of s.100 I and paragraph 1 of Schedule 12A Local Government Act 1972.

LC14

DETERMINATION OF A PRIVATE HIRE DRIVER'S LICENCE

The Assistant Chief Executive advised on the effect of the disclosed caution in this case and he explained the procedure to be followed at the hearing.

The Members of the Panel and officers introduced themselves to the applicant driver.

The Committee considered the report presented by the Licensing Officer setting out the circumstances of the case including information about the effect of the Council's Licensing Policy and the Rehabilitation of Offenders Act 1974.

The driver outlined his case explaining his circumstances and apologising for his failure to disclose a spent conviction and caution; he explained that previous advice he had sought from the police had led him to think it unnecessary to disclose these matters and that he had had no intention of trying to obtain a licence wrongly.

Members noted that the driver had been very young when he received his conviction and that he had a clean licence.

In answer to questions from the Panel the driver assured them that he had no intention of conveying animals in the taxi and that he would be employed on care work, not school work.

In answer to a question from the Licensing Officer he described the steps he had taken to ensure that his dogs caused no further offence.

The Assistant Chief Executive advised that the conviction was very old indeed. Before such a conviction could influence the Panel's decision there would need to be very clear and compelling reasons for the Panel to depart from its established policy regarding spent convictions.

The Licensing Officer and the driver withdrew from the room and the Panel of Members began to consider their decision at 6.20 pm.

LC15

**DETERMINATION WHETHER OR NOT TO SUSPEND OR REVOKE
A PRIVATE HIRE DRIVER'S LICENCE**

The Panel of Members recalled the Licensing Officer to the meeting at about 6.28 pm and the Chairman delivered the decision of the Committee, stating that the Panel had considered all the issues and had concluded that no importance whatever should be attached to the conviction which had taken place 34 years previously. Also the offence for which the applicant had been cautioned regarding dogs was not significant in the consideration of the Panel's decision regarding licensing. The Panel had concluded that the driver was a fit and proper person to hold a licence but wished the driver to note that the Licensing Committee placed great importance on integrity and the relations it had with its drivers. The driver should therefore take note, understand and adhere to all the licensing policies, conditions and regulations. The Committee would take a dim view if its regulations were disregarded and the driver should pay heed to these details for the future.

The driver assured the Panel that he would comply.

The meeting ended at 6.30 pm.