

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at
COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 10.30 am on 11
OCTOBER 2012**

Present: Councillor J Salmon – (Vice -Chairman).
Councillors J Davey, V Ranger and A Walters.

Also present: (First matter) The driver.
(Second matter) The operator, Mr B Drinkwater, Chairman ULODA,
(representing the operator);

Officers present: M Perry (Assistant Chief Executive - Legal), M Cox
(Democratic Services Officer) M Hardy (Licensing Officer), D Scales
(Enforcement Officer) and R Chamberlain (Enforcement Officer).

LIC9 **EXCLUSION OF THE PUBLIC**

RESOLVED that, under section 100I of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of part 1 of Schedule 12A of the Act.

LIC10 **DETERMINATION OF A PRIVATE HIRE DRIVER'S LICENCE**

The Chairman welcomed the driver to the meeting, and introduced members of the Committee and officers. The driver confirmed that he had received the report prior to the meeting.

The Licensing Officer then took the Committee through a report regarding an application for a private hire/hackney carriage driver's licence. Whilst the applicant met the Council's licensing standards, in view of the number and nature of the previous convictions revealed by the CRB checks accompanying the application, officers had referred the matter to the Committee for decision rather than exercise delegated powers. The report set out brief details of the offences for which the driver had received convictions.

The Chairman invited the Applicant to comment on the report. He confirmed that the facts as stated so far were correct. In answer to queries from members the Assistant Chief Executive – Legal explained the relevance of the different convictions and cautions.

The Chairman invited the driver to address the Committee.

The driver said that the early offences detailed in the CRB check dated from when he was young, and he had fallen in with the wrong crowd. He had subsequently turned his life around and had moved to the District where he had married and been running a shop business for some time. He explained that the incident of failing a test purchase at his premises had been properly addressed and there had been no further problems in this area. He also explained the exact circumstances of the recent caution.

In answer to a question from Councillor Ranger, the Driver explained why he had been unable to attend the scheduled meeting with the Licensing Officer. He also confirmed that he had pleaded guilty in relation to all the convictions.

The Driver and the Licensing Officer left the meeting at 10.50 am, returning at 11.00 am when the Committee gave its decision, as follows.

DECISION

The Panel, having regard to the convictions, is satisfied that the driver has been rehabilitated and has found that, on the balance of probability, that the driver is a fit and proper person to hold a licence.

LIC11

DETERMINATION OF A PRIVATE HIRE DRIVER'S LICENCE

The Chairman welcomed to the meeting the operator and his representative, Mr Drinkwater.

Mr Drinkwater requested an adjournment on the grounds that he had insufficient time to prepare a proper case on this matter. He also said that the license was due to expire at the end of October and the operator would not be applying for its renewal.

The Operator, his representative and the Enforcement Officers withdrew from the meeting while the Committee considered this request. On return the Committee gave following decision.

DECISION

The Panel has considered that because the license is due to expire, it is pragmatic to adjourn the hearing. The hearing will be relisted in the event of an application to renew the license being received.

The meeting ended at 11.30 am