

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held in Conference Room 1a, County Hall, Ruthin on Wednesday, 5 April 2017 at 9.30 am.

PRESENT

Councillors Bill Cowie, Meirick Davies, Hugh Irving, Merfyn Parry, Pete Prendergast, Cefyn Williams (Chair) and Huw Williams (Vice-Chair)

ALSO PRESENT

Solicitor (AL), Public Protection Business Manager (IM) and Committee Administrator (KEJ)

1 APOLOGIES

Councillors Stuart Davies and Barry Mellor

2 DECLARATION OF INTERESTS

No declarations of interest had been made.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 12 and 14 of Part 4 of Schedule 12A of the Act.

4 REVIEW OF A LICENCE TO DRIVE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES - DRIVER NO. 509601

A confidential report by the Head of Planning and Public Protection (previously circulated) was submitted upon –

- (i) the suitability of Driver No. 509601 to hold a licence to drive hackney carriage and private hire vehicles after failing to attend the mandatory Child Sexual Exploitation (CSE) Awareness training introduced by the Council in 2016;
- (ii) the Licensing Committee held on 8 March 2017 having resolved to convene a special meeting to hear representations from existing drivers who had not attended the training;

- (iii) details of the opportunities offered to Driver No. 509601 to attend the relevant training (correspondence details having been attached as appendices to the report), and
- (iv) the Driver having been invited to attend the meeting in support of his licence review and to answer members' questions thereon.

Members were advised that the Driver was not in attendance and no communication had been received by way of explanation of his absence. Consequently members agreed to proceed with the review in the Driver's absence.

The Public Protection Business Manager (IM) presented the report and opportunities offered to the Driver to participate in the mandatory CSE training. It was noted that the Driver had been booked to attend training on 25 January 2017 but had failed to appear and had also failed to attend the latest training session held on 29 March 2017. In response to questions the Public Protection and Business Manager advised that the Driver remained the only existing licensed driver who had not attended the relevant training with the other previously outstanding drivers either having attended subsequent training or had surrendered their licences. Assurances were provided that every effort had been made to contact the Driver regarding the mandatory training and subsequent licence review.

At this juncture the committee adjourned to consider the application and it was –

RESOLVED that the hackney carriage and private hire vehicle driver's licence issued to Driver No. 509601 be revoked.

The reasons for the Licensing Committee's decision were as follows –

Members considered that the Driver had been provided with ample opportunity to attend the mandatory training but had failed to attend or engage with the authority regarding his non-attendance or to provide an explanation in mitigation. Members considered the Driver had shown a blatant disregard of an important licensing requirement by repeatedly failing to attend the mandatory CSE training and given that the committee's overriding consideration was protection of the public, members did not consider the Driver to be a fit and proper person to hold a licence. Consequently it was agreed that the hackney carriage and private hire vehicle driver's licence be revoked.

It was noted that the Driver would be informed of the decision and reasons therefore in writing and would be advised of his right of appeal against the decision to the Magistrates Court within 21 days.

The meeting concluded at 9.45 a.m.