

Licensing Committee

Minutes of a meeting of the **Licensing Committee** held in the **Ditchling and Telscombe Rooms, Southover House, Southover Road, Lewes** on **Tuesday, 15 September 2015** at 14:00pm

Present:

Councillor S Adeniji (Chair on election)
Councillors W Botting, B Bovington, P Gander, J Harrison-Hicks, D Neave and M Chartier.

Officers Present:

Ms M Frost, Committee Officer
Mr M Moss, Licensing Officer
Ms J Fletcher, Solicitor

In Attendance:

Applicant in attendance for Minute No 6

Also Present:

Ms S Lindsey, Licensing Officer
Mr E Hele, Principal Environmental Health Officer

	Minutes	Action
1	Election of Chair of the Committee	
	<u>Resolved:</u>	
1.1	That Councillor Adeniji be elected Chair of the Committee for this meeting.	

2 Apologies for Absence

Apologies for absence were received from Councillor S Gauntlett.

3 Urgent Item – Deregulation Act 2015

Resolved:

3.1 That, in accordance with Section 100B(4)(b) of the Local Government Act 1972, the Deregulation Act 2015 report be considered as a matter of urgency in order that the Committee can take its decisions based on the most recent information which is available.

4 Deregulation Act 2015

The Committee considered Report No 115/15 which detailed the changes implemented by the Deregulation Act 2015, relating to the licensing of Hackney Carriage and private hire drivers and the operation of private hire operators. The Deregulation Act 2015 amended the Local Government (Miscellaneous Provisions) Act 1976 to alter the length of time that a licence must be issued for, together with the method of operation of the holders of a private hire operator's licence.

Three operators due for renewal before April 2016 would be given the opportunity to have a one year licence. From the 1 October 2015 they would have the right to apply for a five year licence. The fee for a five year operator's licence would be £300 with the use of two vehicles with the additional cost of £100 for each vehicle over that entitlement. The proposed fee would enable the Council to recover its reasonable costs in processing, determining and ensuring compliance of the licence.

The Committee noted that Officers were currently reviewing the fee levels for all hackney carriage and private hire applications/licences.

Resolved:

4.1 That the Licensing Committee approves the recommended fee for a five year Operator's Licence to take effect from 1 October 2015, in order to recover its reasonable administrative costs, until such time as a full review of the licensing fees can be made.

5 Exclusion of the Public and Press

Resolved:

5.1 That, under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public and press be excluded from the hearing as

there was likely to be disclosures of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act.

6 Determination of Driver's License

The Chair of the Committee welcomed all parties to the hearing. Those attending introduced themselves and the recommended Hackney Carriage and Private Hire Licensing hearing procedure was read out to all parties present. Councillor Murray did not take part in the Licensing Hearing as she had not yet received the requisite Licensing Training.

The Committee considered Report No 98/15 to determine whether the Applicant was a fit and proper person to hold a Private Hires Driver's Licence under the Local Government (Miscellaneous Provisions) Act 1976. The Applicant attended to present his application.

The Licensing Officer presented the Report to the Committee. He drew the Committee's attention to the salient points of the Report including the Applicant's History. He closed his presentation by highlighting the importance of public safety within the Council's Licensing responsibilities and the need for the Committee to apply the local test to ascertain whether they believed the Applicant to be a "fit and proper" person to hold a Private Hire Licence.

The Applicant presented his case to the Committee and explained that three years had passed since the points had been issued and confirmed that he had accepted the fine and points without argument.

The Committee withdrew to consider the recommendations of Report No 98/15 at 14:30pm.

The Committee reconvened at 14:45pm.

The Committee explained that having listened carefully to the evidence given by the Applicant and the Report presented by the Licensing Officer, the Committee supported the application for the Private Hire Licence.

Resolved:

6.1 That the Applicant be granted a Private Hire Driving Licence.

The meeting ended at 15:00pm.

S Adeniji
Chair