



Lewes District Council

Licensing Sub-Committee

Minutes of a meeting of the **Licensing Sub-Committee** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Tuesday 10 April 2018** at **10:00am**

Present:

Councillor I Linington (Chair on election)
Councillors L Boorman and W Elliott

Officers Present:

Z Downton, Committee Officer
E Hele, Functional Lead – Quality Environment
M Wilkinson, Housing & Regulatory Lawyer

Also Present:

Applicant and Applicant's Representative

	Minutes	Action
1	Election of Chair of the Sub-Committee	
	<u>Resolved:</u>	
	1.1 That Councillor Linington be elected Chair of the Sub-Committee for the duration of this meeting.	
2	Apology for Absence/Declaration of Substitute Member	
	Councillor Boorman declared that she was substituting for Councillor Jackie Harrison-Hicks (who had notified the Committee Officer that she was unable to attend prior to the date of the hearing).	
3	Exclusion of the Public and Press	
	<u>Resolved:</u>	
	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 7 of Part 1 of Schedule 12A of the Act. The public interest in maintaining the exemption outweighs the public interest in disclosing the information.

4 Determination of Private Hire Driver's Licence

The Sub-Committee considered the report which sought its determination on whether the Applicant was a fit and proper person to hold a Private Hire Driver's Licence under the Local Government (Miscellaneous Provisions) Act 1976 (the Act). Lewes District Council was responsible for assessing an individual's suitability to hold a Driver's Licence under the provisions of the Act.

The Functional Lead – Quality Environment drew the Sub-Committee's attention to the salient points of the report, including background information, details of the Applicant's past criminal convictions, DVLA convictions and recent medical report. Supporting evidence was set out under appendices 1, 2 and 3.

In determining the Application, the Sub-Committee was advised by the Functional Lead – Quality Environment that the following options were available, namely;

- To grant the Application in full without any additional conditions (other than the mandatory conditions imposed by Lewes District Council) or a documented verbal or written warning;
- To grant the Application in full without any additional conditions (other than the mandatory conditions imposed by Lewes District Council) but issue a written warning;
- To grant the Application imposing conditions (under Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 without a documented verbal or written warning;
- To grant the Application imposing conditions (under Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 with a documented verbal warning;
- To grant the Application imposing conditions (under Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 with a written warning; or
- To refuse the Application.

The Sub-Committee took into account the verbal representations made at the hearing by the Applicant and the Applicant's Representative, and the Applicant's responses to questions asked by the Sub-Committee for clarification purposes.

The Sub-Committee withdrew to determine the matter at 11.00am. The decision was read out as follows:

Resolved:

1. That the Private Hire Driver's Licence, as referred to in the report, be granted in full without additional conditions (other than the mandatory conditions imposed by Lewes District Council) but issue a written warning for the duration of the one year licence.

Functional
Lead –
Quality
Envt.

NOTE:

In accordance with Section 100C, sub-section (2) of the Local Government Act 1972, Minute 4 above is a summary of the proceedings of that part of the meeting which included exempt information. Authorised persons may inspect the exempt information on application to the Proper Officer.

The hearing ended at 11.35am.

I Linington
Chair