

## **SPEAKERS PANEL (LICENSING)**

**Tuesday, 26 January 2016**

**Commenced:** 10.00 am

**Terminated:** 11.50 am

**Present:** Councillors Bray (Chair), Reid (Deputy Chair), Beeley, Downs, Fowler, D Lane, F Travis, White and Wild

**Apologies for Absence:** None

### **25. DECLARATIONS OF INTEREST**

No declarations of interest were made.

### **26. MINUTES**

The Minutes of the Speakers Panel (Licensing) meeting held on 24 November 2015 were approved and signed as a correct record.

### **27. UPDATE ON THE TAXI DISPUTE**

The Licensing Manager provided a verbal update on the taxi dispute from October 2015.

He confirmed that a number of issues had been addressed with the exception of the age limit policy for vehicles. The current age of new vehicles entering a fleet was five years old and taxi drivers were requesting this be raised to seven years old. The Licensing Manager had requested that a written proposal on changing the age be submitted after which a meeting would be held in February to discuss in further detail.

**RESOLVED:**  
**That the update be noted.**

### **28. EXEMPT ITEMS**

**RESOLVED:**  
That under Section 100A of the Local Government Act 1972 (as amended) the public were excluded for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 2 and 3 of Part 1 of Schedule 12A of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, because disclosure of the personal information contained in the report would not be fair to the applicant and would therefore be in breach of Data Protection principles.

### **29. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE - 1/2016**

The applicant requested that the meeting be adjourned to allow time for their solicitor to arrive. Having discussed the request the Panel agreed to adjourn the meeting at 10:05.

**RESOLVED** - That the meeting be adjourned.

The meeting reconvened at 10:45.

The Assistant Executive Director (Environmental Services) submitted a report, requesting that the Panel considered whether the applicant was a fit and proper person in accordance with the provisions of Sections 51 (1) (a) and 59 (1) (a) of the Local Government (Miscellaneous Provisions) Act 1976.

The Panel considered the written information submitted that the applicant had submitted an application for a Private Hire and Hackney Carriage Driver's Licence on 2 July 2015. They had previously held a Private Hire and Hackney Carriage Driver's Licence with Tameside Council between May 2005 and April 2011.

The Panel were informed that the applicant had appeared before Speaker's Panel (Licensing) on 5 April 2005 and a licence was granted and they appeared again on 17 November 2009 following a Police caution where the Panel determined that they retain their licence.

The Panel heard the Licensing Manager's case and details of convictions listed on the Private Hire and Hackney Driver's Licence application form and Enhanced DBS Disclosure form. Meeting attendees were provided with the opportunity to ask questions.

The applicant's solicitor then addressed the Panel and provided a context to the convictions and explained that following a period of uncertainty the applicant would like to return to work as a Private Hire and Hackney Carriage Driver. A verbal character reference was provided in addition to a variety of written character references. The applicant and their representative answered questions from both the Licensing Manager and Panel Members.

**At this juncture the applicant, their representatives and the Licensing Manager left the meeting whilst the Panel deliberated on the review. The Solicitor to the Panel and the Senior Democratic Services Officer remained in the meeting to give legal and procedural advice and took no part in the decision making process.**

The Panel considered all the information presented at the hearing and determined that a Private Hire and Hackney Driver's Licence be refused.

**RESOLVED:**

**That the application for Private Hire and Hackney Carriage Driver's Licence 1/2016 be refused.**

**30. URGENT ITEMS**

The Chair reported there were no urgent items for consideration at the meeting.

**CHAIR**