



## MINUTES

### REGULATORY SUB COMMITTEE

2.00 p.m. – 3.45 p.m.

20 September 2010

Present: Councillors Driver (Chair), Banham, Hooke, Ramsay

**1. HIGHWAYS ACT 1980: APPLICATION FOR LICENCE TO PLACE TABLES AND CHAIRS ON THE HIGHWAY – STRANGERS CAFÉ, 21 POTTERGATE, NORWICH NR2 1DS**

(The applicant Alex Sargeant, attended the meeting for this item). The Licensing Manager presented the report and informed members that the application was to place tables and chairs between the bicycle racks in front of the Revolutions shop on Pottergate, Monday to Saturday between 8:30 and 17:00.

The applicant said the tables and chairs would not create any obstruction to the highway or impede the traffic flow.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

**RESOLVED**, unanimously to grant a licence to place tables and chairs on the highway in respect of the Strangers Café, 21 Pottergate, Norwich NR2 1DS.

(The applicant and the Senior Licensing Officer were re-admitted to the meeting and informed of the decision minuted above).

**2. EXCLUSION OF PUBLIC**

**RESOLVED** to exclude the public from the meeting during consideration of Items 3 to 8 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

**\*3. APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVERS LICENCE - CASE NO. 16/31/3/727 (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the Committee).

The Licensing Manager presented the report. In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. The applicant explained the circumstances leading to his convictions on 3 December 2006 and 14 April 2009 for exceeding the statutory speed limit and 11 January 2008 for blackmail.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

**RESOLVED**, with 3 members voting in favour (Councillors Banham, Hooke and Ramsay) and 1 member abstaining (Councillor Driver) to refuse to grant a 3 month Private Hire Drivers Licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 on the grounds of the recent serious offending.

(The applicant and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Solicitor informed the applicant that he would receive written notification of the Committee's decision and that he had the right to appeal against the decision at the Magistrates' Court within twenty-one days of the date of this meeting.)

**\*4. APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE CASE NO. 16/31/3/728 (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the Committee).

The Licensing Manager presented the report. In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. The applicant explained the circumstances leading to his conviction on 8 January 2010 for using a vehicle uninsured against third party risks.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

**RESOLVED**, unanimously to grant a 3 month Private Hire Drivers Licence.

(The applicant and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend or refuse to renew the licence in the future if the applicant's conduct was not up to the standard expected of a licence holder.)

**\*5. APPLICATION FOR THE GRANT OF A 12 MONTH PRIVATE HIRE DRIVER'S LICENCE CASE NO. 16/31/3/729 (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item and circulated a character reference. He confirmed that he had been informed of his right to be legally

represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the Committee).

The Licensing Manager presented the report. In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. The applicant explained the circumstances leading to his conviction on 18 August 2008 for dangerous driving.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

**RESOLVED**, unanimously to grant a 3 month Private Hire Drivers Licence.

(The applicant and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend or refuse to renew the licence in the future if the applicant's conduct was not up to the standard expected of a licence holder.)

**\*6. APPLICATION FOR RENEWAL OF HACKNEY CARRIAGE DRIVERS LICENCE CASE NO 16/31/3/733 (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item and circulated a character reference. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the Committee).

The Licensing Manager presented the report. In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. The applicant explained the circumstances leading to his convictions on 26 March 2010 and 27 April 2010 for breach of requirements as to the control of the vehicle, mobile telephones etc. He also explained his failure to notify the Council, in writing, within 7 days of his conviction.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

**RESOLVED**, unanimously to renew this Hackney Carriage Drivers Licence.

(The applicant and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend or refuse to renew the licence in the future if the applicant's conduct was not up to the standard expected of a licence holder.)

**\*7. APPLICATION FOR RENEWAL OF PRIVATE HIRE VEHICLE DRIVERS LICENCE CASE NO. 16/31/3/656 (PARAGRAPHS 1 AND 3)**

**RESOLVED**, unanimously to:-

- (1) suspend this Private Hire Driver's Licence until 18 October 2010;
- (2) should the licence holder fail to attend the next meeting of the committee, the application for renewal would be considered in his absence.

**\*8. SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE - CASE NO. 16/31/3/730 (PARAGRAPHS 1 AND 3)**

(The licence holder attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the Committee.)

The Licensing Manger presented the report. In reply to a question, the licence holder said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his conviction on 22 March 2010. He then answered detailed questions about the circumstances of his convictions on 1 August 2009 and 22 March 2010 for exceeding the statutory speed limit.

(The licence holder and the Licensing Manager left the meeting at this point.)

Following discussion, it was –

**RESOLVED**, unanimously, to take no action to suspend or revoke this Norwich City Council Driver's Licence.

(The licence holder and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend or refuse to renew the licence in the future if the applicant's conduct was not up to the standard expected of a licence holder.)

CHAIR