

Licensing Committee
1 FEBRUARY 2023

Present: Councillors: Richard Landeryou, Mike Morgan and Jon Olson

Also Present: Councillor: John Blackall

LI/20 **ELECTION OF CHAIRMAN OF THE SUB-COMMITTEE FOR THE MEETING**

RESOLVED

That Councillor Richard Landeryou be elected Chairman for the meeting.

LI/21 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

LI/22 **TO DETERMINE AN APPEAL AGAINST REFUSAL TO GRANT A PRIVATE HIRE DRIVERS LICENCE**

The Licensing Sub Committee was held following an appeal made by the applicant to review the decision under delegated powers made by Marc Rankin, Head of Environmental Health & Licensing, refusing his application for a Private Hire Drivers Licence.

The applicant had been advised on 25 October 2022 that his application had been refused and normally an appeal would need to be made to the Magistrates Court. Due to the large backlog of criminal cases currently at the Magistrates Court the applicant was permitted the opportunity to appeal to the Licensing Sub Committee.

The Sub Committee considered documentation and background information provided on the Private Hire Licence application.

The applicant attended the hearing and explained the events leading up to the application refusal and answered questions. The Head of Environmental Health & Licensing addressed the Sub Committee and gave a detailed account of the information that had been considered when the decision to refuse the application had been made.

Members of the Sub Committee considered the statements and responses and all evidence presented in the appendices to the report.

The Chairman invited the Sub Committee to move to private session to deliberate.

RESOLVED

Members dismissed the appeal as they concluded that the applicant was not 'a fit and proper person' based on his conduct and behaviour before and during the application for a Private Hire Drivers Licence.

REASON

- (i) The applicant had not accepted that his conviction in 2016 for 'Wilful Misconduct in Public Office' was a serious matter in that he sought to blame others for the prosecution.
- (ii) He had continued in the intervening years to claim he was made 'made a scapegoat' and 'stitched up' and had not accepted his conviction and moved on from this belief.
- (iii) He was evasive when answering direct questions, which the Members found concerning and unacceptable behaviour.

A formal Decision notice letter setting out the full reasons for the Sub Committee's decision to dismiss the appeal had been sent to the applicant.

RIGHT TO APPEAL

There is a right to appeal this Sub Committee's decision though an appeal to the Magistrates Court.

The meeting closed at 11.15 am having commenced at 10.00 am. The meeting adjourned at 10.30am for approximately 45 minutes.

CHAIRMAN