



## MISCELLANEOUS LICENSING SUB-COMMITTEE

AGENDA

<b>DATE:</b>	<b>Monday, 5 February 2024</b>
<b>TIME:</b>	<b>10.00 am</b>
<b>VENUE:</b>	<b>Connaught Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE</b>

**MEMBERSHIP:**

**Councillor J Henderson (Chairman)**  
**Councillor Smith (Vice-Chairman)**  
**Councillor Codling**

**Councillor A Cossens**  
**Councillor Davidson**

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DATE OF PUBLICATION: Friday, 26 January 2024

## AGENDA

### **1 Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

### **2 Minutes of the Last Meeting (Pages 1 - 2)**

To confirm and sign as a correct record, the minutes of the last meeting of the Sub-Committee, held on Monday, 11 December 2023.

### **3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests of Non-Registerable Interests, and the nature of it, in relation to any item on the agenda.

### **4 Exclusion of Press and Public**

The Sub-Committee is requested to consider passing the following resolution:-

“That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of Agenda Items 5, 6 and 7, on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A, as amended, of the Act.”

### **5 Exempt Minutes (Pages 3 - 6)**

To confirm and sign as a correct record, the exempt minutes of the last meeting of the Sub-Committee, held on Monday, 11 December 2023.

### **6 Report of the Assistant Director (Governance & Legal) - B.1 - Application for the Grant of a Hackney Carriage/Private Hire Driver's Licence (Pages 7 - 14)**

To enable the Sub-Committee to consider an application for the Grant of a Hackney Carriage/Private Hire Driver's Licence where the application has declared certain motoring offence(s).

### **7 Report of the Assistant Director (Governance & Legal) - B.2 - Review of a Hackney Carriage/Private Hire Driver's Licence (Pages 15 - 26)**

To enable the Sub-Committee to consider a review of a Hackney Carriage/Private Hire Driver's Licence where the applicant has declared certain motoring offence(s).

**Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Miscellaneous Licensing Sub-Committee is to be held in the at Time Not Specified on Date Not Specified.*

## **Information for Visitors**

**FIRE EVACUATION PROCEDURE**

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

**MINUTES OF THE MEETING OF THE MISCELLANEOUS LICENSING SUB-COMMITTEE,  
HELD ON MONDAY, 11TH DECEMBER, 2023 AT 9.30 AM  
IN THE WHITELAW ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors J Henderson (Chairman), Smith (Vice-Chairman), A Cossens and Davidson
<b>Also Present:</b>	Councillor Lynda McWilliams
<b>In Attendance:</b>	Karen Hayes (Executive Projects Manager (Governance)), Mandi Wilson (Litigation Lawyer), Michael Cook (Licensing Manager), Bethany Jones (Committee Services Officer) and Emma King (Licensing Officer)

**16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

An apology for absence was submitted on behalf of Councillor Codling (with no substitution).

**17. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the minutes of the last meeting of the Sub-Committee, held on Wednesday, 16 August 2023 were approved as a correct record and signed by the Chairman.

**18. DECLARATIONS OF INTEREST**

Councillor Smith (Vice-Chairman) declared for the public record that he was a London Taxi driver of 33 years' experience but that he had no ties in that capacity to the District of Tendring.

The Litigation Lawyer informed the Sub-Committee and declared for the public record that she personally knew the individual referred to in report B.2. She stated that in the interest of probity she would recuse herself from this matter and that therefore any legal advice that the Sub-Committee might require in this matter would instead be provided by the Executive Projects Manager (Governance).

**19. EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor A Cossens, seconded by Councillor Davidson, and:-

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Items 5, 6, 7 and 8 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A, as amended, of the Act.

**20. EXEMPT MINUTES**

It was moved by Councillor Smith, seconded by Councillor A Cossens and:-

**RESOLVED** that the Exempt Minutes of the last meeting of the Sub-Committee, held on Wednesday, 16 August 2023, be approved as a correct record and be signed by the Chairman.

21. **REPORT OF THE ASSISTANT DIRECTOR (GOVERNANCE & LEGAL) - B.3 - APPLICATION FOR THE GRANT/RENEWAL OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE**

**RESOLVED** – that the named individual's licence be re-instated in full subject to the receipt of a satisfactory DVLA check and Group 2 medical examination report.

22. **REPORT OF THE ASSISTANT DIRECTOR (GOVERNANCE & LEGAL) - B.1 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE**

**RESOLVED** – that the named individual's Hackney Carriage/Private Hire Driver's Licence be granted for one year.

23. **REPORT OF THE ASSISTANT DIRECTOR (GOVERNANCE & LEGAL) - B.2 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE**

**RESOLVED** – that the named individual's Hackney Carriage/Private Hire Driver's Licence be granted for one year with 6 points imposed under the Taxi Policy Enforcement Penalty Point System.

The meeting was declared closed at 10.53 am

**Chairman**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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