



MISCELLANEOUS LICENSING SUB-COMMITTEE

AGENDA

DATE:	Friday, 27 September 2024
TIME:	10.00 am
VENUE:	Whitelaw Room, Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor J Henderson (Chairman)
Councillor Smith (Vice-Chairman)
Councillor Casey

Councillor Codling
Councillor A Cossens

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DATE OF PUBLICATION: Thursday, 19 September 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 5 - 6)

To confirm and sign as a correct record, the minutes of the last meeting of the Sub-Committee, held on Tuesday, 9 July 2024.

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 Item 5 and 6, 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, by the Act.”

5 Exempt Minutes (Pages 7 - 12)

To confirm and sign as a correct record, the exempt minutes of the last meeting of the Sub-Committee, held on Tuesday, 9 July 2024.

6 Report of the Assistant Director (Governance) - B.1 - Review of a Hackney Carriage/Private Hire Driver's Licence and Hackney Carriage Vehicle Licence (Pages 13 - 62)

To enable the Sub-Committee to consider a review of a Hackney Carriage/Private Hire Driver's Licence and Hackney Carriage Vehicle Licence where the applicant has demonstrated unacceptable behaviour towards a member of staff and acquired more than 12 Enforcement Penalty Points for various licensed vehicles.

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.

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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 TUESDAY, 9TH JULY, 2024 AT 10.00 AM
IN THE SUNSPOT - SUNSPOTS**

Present:	Councillors Smith (Vice-Chairman, in the Chair), Codling and A Cossens and Davidson
In Attendance:	Linda Trembath (Head of Legal Services & Deputy Monitoring Officer), Bethany Jones (Committee Services Officer), Emma King (Licensing Officer) and Alfie Smith (Licensing Enforcement Officer)

37. CHAIR

The Vice-Chairman of the Sub-Committee (Councillor Smith) informed the meeting that the Chairman of the Sub-Committee (Councillor J Henderson) was absent from the meeting and that therefore he would occupy the Chair.

38. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Casey (with no substitution) and J Henderson (with Councillor Davidson substituting).

39. MINUTES OF THE LAST MEETING

It was moved by Councillor Davidson, seconded by Councillor Codling and:-

RESOLVED that the minutes of the last meeting of the Sub-Committee, held on Monday, 11 March 2024 be approved as a correct record and be signed by the Chairman.

40. DECLARATIONS OF INTEREST

Councillor Smith (Vice-Chairman, in the Chair) declared for the public record that he was a London Taxi driver of 34 years' experience but that he had no ties in that capacity to the District of Tendring.

41. 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 and 7 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.

42. EXEMPT MINUTES

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

RESOLVED that the Exempt Minutes of the last meeting of the Sub-Committee, held on Monday, 11 March 2024, be approved as a correct record and be signed by the Chairman.

43. REPORT OF THE ASSISTANT DIRECTOR (GOVERNANCE & LEGAL) - B.1 - REVIEW OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE AND HACKNEY CARRIAGE VEHICLE LICENCE

RESOLVED that the Sub-Committee were in support of the 12 Enforcement Penalty Points already imposed on the individual's Hackney Carriage/Private Hire Driver's Licence, the refusal to carry a guide dog was a really serious offence and they could have lost their licence, and that if they was to come back to the Sub-Committee within 2 years with the points still on the licence then a harsher action may be required. The points would remain on their licence the full two years until February 2026.

44. REPORT OF THE ASSISTANT DIRECTOR (GOVERNANCE & LEGAL) - B.2 - REVIEW OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE AND HACKNEY CARRIAGE VEHICLE LICENCE

RESOLVED that the Sub-Committee were in support of the 13 Enforcement Penalty Points already imposed on the individual's Hackney Carriage/Private Hire Driver's Licence and that they would keep those points for the next two years. Further, if the individual was before the Sub-Committee before the Enforcement Penalty Points had expired then a harsher decision would be considered but they would keep their licence now and could keep working.

The meeting was declared closed at 11.41 am

Chairman

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

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