

FAREHAM

BOROUGH COUNCIL

Minutes of the Licensing Panel

(to be confirmed at the next meeting)

Date: Tuesday, 5 December 2023

Venue: Council Chamber - Civic Offices

PRESENT:

Councillor Pamela Bryant (Chairman)

Councillors: S Ingram and Mrs S M Walker



1. **EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED that the public and representatives of the press be excluded from the meeting in accordance with Section 100(A) of the Local Government Act 1972 on the grounds that the matters to be dealt with involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12 of the Act.

2. **DETERMINATION OF A HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVING LICENCE APPLICATION**

The Panel considered a report by the Licensing Officer which contained exempt information in respect of a private hire vehicle driving licence application. A copy of the report was circulated to members of the Panel with the agenda in advance of the meeting.

The Licensing Officer presented the circumstances of the case, as supported by the documentary evidence. There were no questions or points for clarification raised by the Applicant or members of the Panel.

The Applicant presented the circumstances of his case as detailed in the documentary evidence and answered questions thereon from members of the Panel.

The Chairman declared a non-pecuniary interest in that she was the Council's representative for the Prague Junction Management Committee.

The Applicant was invited to make a closing statement in respect of his application and did so accordingly.

Following the submission and summation of the Applicant's representation, the Licensing Officer and the Applicant left the room whilst the Panel considered its decision in private.

Following the Panel's deliberations, the Licensing Officer and the Applicant returned to the hearing to hear the Chairman announce the Panel's decision.

DECISION OF THE MEETING HELD ON 5 DECEMBER 2023 **PRIVATE HIRE TAXI DRIVER'S LICENCE APPLICATION**

The panel has considered very carefully the report of the Licensing Officer and all the evidence presented today.

It has given due regard to the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") and the guidelines relating to the application of the "fit and proper person" test and other considerations of character. The Human Rights Act has been borne in mind whilst making the decision.

Mr M attended the hearing and explained the circumstances and answered questions from the panel.

Reasons for Decision

The panel considered all of the information within the document pack and the information provided by Mr M. The panel decided that Mr M is a fit and proper person for the purposes of holding a private hire taxi licence and the application is granted.

The panel considered that the Affray matter on his DBS certificate was a caution, rather than a conviction that had proceeded to court and that it did take place approximately 22 years ago and that nothing similar had occurred since then. The panel also noted that the caution for Affray happened due to a scuffle at a nightclub, namely Prague Junction which had a bad reputation at the time and has since been shut down. The panel noted that Mr M, despite having this caution on his record has passed the vetting/recruitment process for becoming a prison officer and so the prison service consider Mr M to be suitable to work in such capacity. The panel were reassured by this in terms of his suitability for holding a private hire taxi driver licence.

In terms of the speeding offence, it was noted by the panel that the speed for which he received 6 points was excessive. It was noted that Mr M has received 6 points for this and that if he had received anymore, he would have been prohibited from making this application and for applying for a taxi licence for a certain period of time. Mr M needs to be cautious and careful in this respect in future.

RESOLVED that the Licensing Panel considers the Applicant is a fit and proper person to hold a private hire driving licence and that licence therefore is granted.

(The meeting started at 10.00 am
and ended at 11.05 am).

..... Chairman

..... Date