

# Agenda

## Licensing Sub Committee 2

**Monday 18 October 2021 at 10.00 am**  
**in the Council Chamber, Sandwell Council House, Oldbury**

**This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.**

- |   |  |         |
|---|--|---------|
| 1 | <b>Apologies for Absence</b>   | 7 - 8   |
| 2 | <b>Declarations of Interest</b>  | 9 - 10  |
|   | Members to declare any interests in matters to be discussed at the meeting.  |         |
| 3 | <b>Minutes</b>   | 11 - 14 |
|   | To confirm the minutes of the meeting held on 19 July 2021.  |         |
|   | <b>Matters Delegated to the Sub Committee to consider Licensing Act 2003 – New Premises Application – Members considering the application: Councillors Allen, Chidley and Webb</b> |         |
| 4 | <b>New Premises Application - The Shed Barber Shop, 115 Manor House Road, Wednesbury, WS10 9PL</b>   | 15 - 42 |



Members to consider the new premises application of The Shed Barber Shop, 115 Manor House Road, Wednesbury, WS10 9PL

**5 Exclusion of the Public and Press 43 - 52**

That the public and press be excluded from the rest of the meeting. This is to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act, 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial and business affairs of any person, including the authority holding that information.

**Matters Delegated to the Sub Committee to consider Local Government (Miscellaneous Provisions) Act 1076 – Private Hire Driver’s/Vehicles/Operator’s Licensing related matters – Members considering the application: Councillors Allen, Chidley, S Gill, S Singh and Webb**

**6 To consider Local Government (Miscellaneous Provisions) Act 1976 - Private Hire and Hackney Carriage Drivers/Vehicles/Operator's Licence related matters. 53 - 84**

**Kim Bromley-Derry CBE DL**  
**Interim Chief Executive**  
Sandwell Council House  
Freeth Street  
Oldbury  
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**Distribution**

Councillor Allen (Chair)  
Councillors Chidley, S Gill, S Singh and J Webb

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

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## Licensing Sub Committee 2

### Apologies for Absence

To receive any apologies for absence from the members of the Committee.



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## Licensing Sub Committee 2

### Declarations of Interests

Members to declare any interests in matters to be discussed at the meeting.



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## Minutes of Licensing Sub Committee 2

**Monday 19 July 2021 at 10.00am**  
**in the Council Chamber at Sandwell Council House, Oldbury**

**Present:** Councillor Piper (Chair)  
Councillors Chidley, S Gill and Webb.

**Officers:** Usha Devi (Licensing Enforcement Officer);  
David Elliott (Solicitor);  
Trisha Newton (Senior Democratic Services Officer);  
Connor Robinson (Democratic Services Officer);  
Gabrielle Evans (Democratic Services Officer).

10/21 **Apologies for Absence**

Apologies were received from Councillor S Singh.

11/21 **Declarations of Interest**

No interests were declared at the meeting.

12/21 **Minutes**

**Resolved** that the minutes of the meeting held on 12 April 2021 were confirmed as a correct record.



13/21 **Exclusion of the Public**

**Resolved** that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order, 2006, relating to any individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Matters Delegated to the Sub Committee to consider Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Driver’s/Vehicles/Operators Licensing related matters**

14/21 **Application for the renewal of a Private Hire Drivers Licence in respect of Mr M A**

Members considered an application for the review of a Private Hire Driver’s Licence in respect of Mr M A.

Mr M A was in attendance and had not previously appeared before the Licensing Sub Committee. Mr M A was accompanied by Mr I K, who had filled in the application form on Mr M A’s behalf.

The Sub Committee was advised that Mr M A had breached the conditions of his licence after failing to declare unspent convictions.

Asked to explain why he had not declared previous convictions, Mr M A’s representative explained that he thought the convictions did not need to be declared because they were spent. The spent convictions had been from 1981 and 1987. The Legal Advisor explained that all spent convictions were declarable to the authority, irrespective of age.



Mr M A presented additional documents to the Sub-Committee, including a character reference and clearance from Birmingham City Council for school transport (which was what Mr M A wished to do).

The Sub Committee took advice from its Legal Advisor before adjourning to make a decision on the application.

The Sub Committee was minded to grant the Private Hire Driver's Licence in respect of Mr M A. The Sub Committee believed that there had been no attempt by Mr M A to actively deceive the Council and the omission had been a genuine mistake.

The Sub Committee decided on the balance of probabilities Mr M A was a fit and proper person to hold a licence having met all other requirements.

**Resolved** that the Private Hire Driver's Licence in respect of Mr M A be renewed.

15/21

### **Application for a new Private Hire Drivers Licence in respect of Mr A A**

Members considered an application to grant a new Private Hire Driver's Licence in respect of Mr A A.

Mr A A was in attendance and had not previously appeared before the Licensing Sub Committee.

The Sub Committee heard that Mr A A had failed to declare a conviction of driving whilst disqualified when making his online application.

Mr A A stated that he had declared three previous convictions and since the convictions were from nearly twenty years ago, not declaring the fourth conviction had been a genuine mistake (all four convictions were related to each other). Mr A A stated admitted he made a mistake and apologised. Mr A A also advised the committee that he had not touched alcohol for almost twenty years.



The Sub Committee took advice from its Legal Advisor before adjourning to make a decision on the application.

The Sub Committee was minded to grant the Private Hire Drivers Licence in respect of Mr A A, subject to the full completion and signing up to the online DBS. In making its decision the Committee determined Mr A A was a fit and proper person to hold a licence and the exclusion of the fourth conviction had been a genuine oversight and not an attempt at deception.

**Resolved** that the Private Hire Driver's Licence in respect of Mr A A be granted, subject to confirmation of signing up to the DBS Disclosure Service.

Meeting ended at 11:36am

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)



## Report to Licensing Sub Committee 2

**Monday 18 October 2021**

<b>Subject:</b>	Application for the grant of a new Premises Licence at The Shed Barber Shop, 115 Manor House Road, Wednesbury, WS10 9PL
<b>Director:</b>	Interim Director – Borough Economy – Nicholas Austin
<b>Contact Officer:</b>	Balbir Dhugga Licensing Officer licensing_team@sandwell.gov.uk

### 1. Recommendations

1. Consider the application for the grant of a new premises licence under section 17 of the Licensing Act 2003 in respect of The Shed Barber Shop, 115 Manor House Road, Wednesbury, WS10 9PL.
2. Each application must be considered on its merits taking into account the evidence presented at the hearing, and the Guidance issued under Section 182 of the Licensing Act 2003 and the Council’s Licensing Policy. The options that can be considered once evidence has been heard are detailed at section 5.

### 2. Reasons for Recommendations

- 2.1 The Licensing Sub Committee is asked to make a decision on the application based on any evidence presented at the hearing taking into account the Guidance issued under Section 182 of the Licensing Act 2003 and the Council’s own Statement of Licensing Policy and to give reasons for their decision.



2.2 To consider an application for the grant of a new premises licence in respect of The Shed Barber Shop, 115 Manor House Road, Wednesbury, WS10 9PL following receipt of a representation from the Fire Safety Officer objecting to the grant of the application due to fire safety issues identified, which would adversely affect the Licensing Objective of Public Safety. The issues identified were in regards to the fire alarm system, emergency lighting and fire resisting construction between the ground and first floor being inadequate.

### 3. How does this deliver objectives of the Corporate Plan?

	<p><b>A strong and inclusive economy</b> Investing in people and jobs. Licensed premises provide employment in the Borough and help to support the Borough's economy.</p> <p>It is the Authority's aim to offer a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment; valued by those who live here, work here and come to visit. We want to ensure that businesses operate responsibly and safely so that our residents live in decent neighbourhoods and have a good quality of life.</p>
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### 4. Context and Key Issues

- 4.1 Under the Licensing Act 2003, a responsible authority or any other person may make representations in respect of the application which must be relevant to one or more of the four licensing objectives, namely:
- The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children from Harm
- 4.2 Representation has been received from received from the Fire Safety Officer. A copy of the representation is attached at Appendix 5.

#### CURRENT POSITION

- 4.3 An application has been made by The Shed Barbershop Limited for the grant of a new premises licence.



- 4.4 A copy of the full application is attached at Appendices 1 to 4.
- 4.5 The application is for The Supply of Alcohol (On Premises only) Monday - Wednesday 10.00 - 20.00, Thursday – Friday 09.00 - 21.00 and Saturday 08.00 - 20.00.
- 4.6 The proposed hours the premises will be open to the public Monday - Wednesday 10.00 - 20.00, Thursday – Friday 09.00 - 21.00 and Saturday 08.00 - 20.00.
- 4.7 Seasonal hours are Christmas Eve 08:00 - 20:00 and New Year’s Eve 08:00 - 20:00.
- 4.8 Non-standard timings are Sundays if they fall on a Christmas or New Year’s Eve 08:00 - 20:00.
- 4.9 The applicant has stated the premises primary purpose is that its a Barber shop, set back from the main road in between two other working premises. The building consists of one main large room, where barbering takes place and the bar and seating area will be located. The bar and seating area are partitioned off from the barbering area by a waist high partition but is still very much a part of the barber shop as shown on the premises plan. The premises offer all aspects of barbering, shoeshine and drinks, giving customers a place to relax and enjoy their experience. The bar and seating area are where drinks, including alcohol soft drinks, tea and coffee can be brought and consumed. The drinks are for customers to enjoy while waiting for their barbering services and at no time will any drinks be permitted to leave the premises. The sale of alcohol is for the barber’s customers or the people who will be waiting with them, it is a barbershop with a bar not a stand-alone bar.

#### 4.8 Operating Schedule/Proposed Conditions

##### General

Alcohol shall be sold only to those patrons of the barber shop who are on the premises for the purpose of having haircutting and/or grooming services, to ensure that the sale of alcohol shall be entirely ancillary to the main service provision of haircutting and grooming services.

There shall be no advertisement in the shop window or external signage at the premises that alcohol is on sale from the location.



All staff will be made fully aware of the 4 licensing objectives so that no nuisance or disturbance is caused to the surrounding businesses and residents and so that all staff and members of the public are kept from harm. The relevant training will be put into place for any staff members working on the premises.

The designated premises supervisor will cover all aspects of the day to day running of the premises and be contactable at all times when away from the premises.

### **The prevention of crime and disorder**

Shutters will be closed over both back and front doors and the main front window when the premises are not being occupied.

Bottles and glasses will not be permitted to be taken away from the premises.

No alcohol will be sold to any person under the age of 18. Challenge 25 scheme will be in place with the relevant signs to notify all members of the public. Only a passport, a photographic driving licence card or a PASS card will be accepted as valid proof of age.

No alcohol will be served to anyone already intoxicated.

'No verbal or physical abuse' signs are in place around the premises anyone found to do this will be banned from the premises immediately.

A no tolerance to drugs policy is also in place, the relevant signs are placed on the premises so that if anyone is found with drugs on them or using them, will be reported to the police and will also be banned from the premises indefinitely.

The premises shall operate a CCTV system, recordings shall be retained for 72 hours.

An incident book will be kept at the reception desk and entries added for every incident at the premises.

A refusals book will also be kept on the premises and any refusal to sell alcohol will be logged and the reason why it was refused.



## **Public Safety**

A fully stocked first aid box will be on the premises at all times.

Fire exits will be clearly marked and left free from obstruction.

The appropriate fire extinguishers will be available on the premises with easy access.

The premises will comply with all statutory fire safety regulations.

Breakages and spillages will be cleaned up immediately.

## **The prevention of public nuisance**

A zero-tolerance policy will apply for all rude or abusive behaviour towards members of staff and other members of the public.

Appropriate waste bins will be made available at all times inside and at the rear of the property to prevent littering outside of the premises.

A smoking area at the rear of the property and appropriate ash trays at the front and rear of the property will be provided to prevent customers and staff from smoking and littering in surrounding public areas.

## **The Protection of children from harm**

The challenge 25 scheme will always be in operation.

I.D will be required for anyone who looks below the age of 25,

Passports, photographic driving licence card and PASS cards will be the only accepted valid proofs of I.D. All relevant signs and posters will be displayed around the premises for everyone to see.

Training will be carried out for all members of staff serving alcohol on how to correctly implement the challenge 25 procedure.

4.9 A location map of the premises is attached at Appendix 6.

### **4.10 Consultation (customers and other stakeholders)**

A notice has been published in a local paper and a public notice has been displayed at the premises outlining the application and inviting comments/representations to be sent to the Licensing Authority, detailing a closing date for these to be received. Details of the application were also published on the Council's website.



## 5. Alternative Options

- 5.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:
- to grant the licence subject to conditions consistent with the operating schedule accompanying the application, and any mandatory conditions which must be included in the licence
  - to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - to refuse to specify a person in the licence as the premises supervisor;
  - to reject the application
- 5.2 Conditions may be altered or omitted, or any new condition added.
- 5.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory responsibilities on a premise, it would not be appropriate to impose similar duties.
- 5.4 Members of the Sub Committee should be advised that the applicant, or any other person who made relevant representations in relation to the application, may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

## 6. Implications

<p><b>Resources:</b></p>	<p>There are no direct strategic resource implications associated with this application.</p> <p>In respect of premises licence applications, we do not foresee any issues in respect of sustainability of proposals.</p> <p>The application relates to a privately owned property.</p>
<p><b>Legal and Governance:</b></p>	<p>Members of the Licensing Sub Committee when making their decision on the application must take into account the four licensing objectives, the Guidance issued under Section 182 of the Licensing Act 2003</p>



	<p>and the Council's own Statement of Licensing Policy. The applicant and those who have made relevant representations have the right to appeal the decision made by the Licensing Sub Committee to the Magistrates Court, so the Committee are asked to give reasons for their decision wherever possible.</p> <p>Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only determine the application having had an opportunity to consider all relevant facts.</p>
<b>Risk:</b>	<p>The Police are a statutory consultee for all Licensing Act 2003 applications. Prevention of Crime and Disorder is one of the four licensing objectives and applicants have to demonstrate how they will achieve this objective by volunteering measures in the operating schedule submitted with the Licence application.</p> <p>The Police have not made a representation to this application.</p> <p>Whilst full details of the application and any representations have been shared with the committee members, only information that is in the public domain has been made available for the reports that have been made public online, in line with data protection protocols.</p>
<b>Equality:</b>	<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p> <p>The operators of this premises are responsible for complying with all relevant legislation.</p>
<b>Health and Wellbeing:</b>	<p>This is not applicable to applications for premises licences submitted under the Licensing Act 2003.</p>
<b>Social Value</b>	<p>This is not applicable to applications for premises licences submitted under the Licensing Act 2003.</p>



## 7. Appendices

- Appendix 1 – Licence application
- Appendix 2 – DPS consent
- Appendix 3 – Premises floor plan
- Appendix 4 – Companies House
- Appendix 5 – Representations
- Appendix 6 – Location Plan

## 8. Background Papers

- Sandwell Metropolitan Borough Council Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003 (Hearings) Regulations 2005



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Regulations 2000.

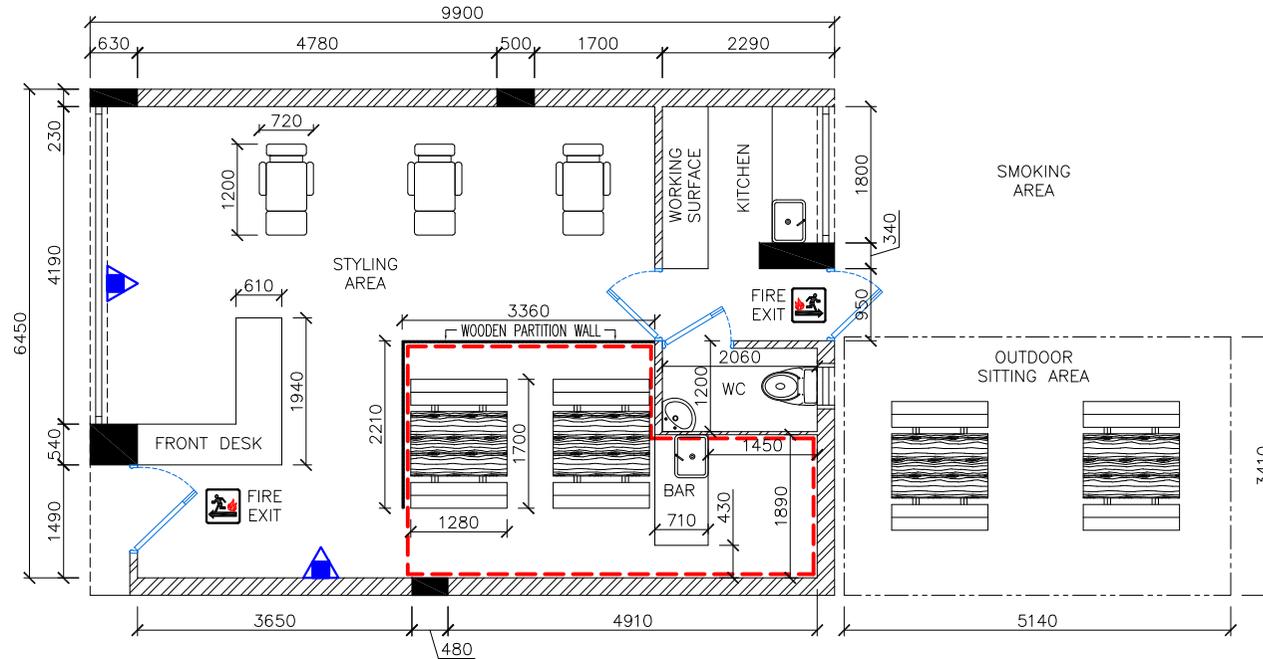
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**FLOOR PLAN**  
SCALE 1:100 @ A4



**NOTES**

1. ALL THE DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE NOTED.
2. RED LINE AROUND THE BAR AND INDOOR SITTING REPRESENTS LICENSED AREA.

**LEGEND**

- DRY POWDER FIRE EXTINGUISHER
- LICENSED AREA

PROJECT NAME:

**BARBER SHOP**

DRAWING TITLE:

**FLOOR PLAN**

PROJECT NO:	SCALE:	SH. SIZE:
—	1:100	A4

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Companies House - THE SHED BARBERSHOP LIMITED

<https://find-and-update.company-information.service.gov.uk/company/13468768>

# THE SHED BARBERSHOP LIMITED

Company number **13468768**

Follow this company

File for this company

Overview

Filing history

People

More

Registered office address

**115 Manor House Road, Wednesbury, England, WS10 9PL**

Company status

**Active**

Company type

**Private limited company**

Incorporated on

**21 June 2021**

## Accounts

First accounts made up to **30 June 2022**  
due by **21 March 2023**

## Confirmation statement

First statement date **20 June 2022**  
due by **4 July 2022**

## Nature of business (SIC)

96020 - Hairdressing and other beauty treatment

# THE SHED BARBERSHOP LIMITED

Company number **13468768**

Follow this company

File for this company

Overview

Filing history

People

More

Officers

Persons with significant control

## Filter officers

Current officers

**1 officer / 0 resignations**

### [BAYLISS, Shaun](#)

Correspondence address

**115 Manor House Road, Wednesbury, England, WS10 9PL**

Role **ACTIVE**

**Director**

Date of birth

**December 1982**

Appointed on

**21 June 2021**

Nationality

**English**

Country of residence

**England**

Occupation

**Company Director**

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Regulation 21(1)(A) of the Local Authorities (Executive  
Arrangements) (Access to Information) (England)  
Regulations 2000.

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## Appendix 6 – Location Plan

The Shed Barber Shop, 115 Manor House Road, Wednesbury, WS10 9PL





## Report to Licensing Sub Committee 2

**Monday 18 October 2021**

### Not for Publication

Exempt information relating to any individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

The information contained in this report is strictly confidential and in accordance with the appropriate Codes of Conduct, must not be disclosed to unauthorised persons.

<b>Subject:</b>	Private Hire/Vehicles/Operators Licence related matters
<b>Director:</b>	Kim Bromley-Derry CBE DL - Interim Chief Executive Interim Director of Borough Economy - Nicholas Austin
<b>Contact Officer:</b>	Fiona Gee – Licensing Manager <a href="mailto:Fiona_gee@sandwell.gov.uk">Fiona_gee@sandwell.gov.uk</a> David Elliott – Solicitor David_Elliott@sandwell.gov.uk

### 1 Recommendations

That the Committee take appropriate action in respect of individual licence applications and current licences in view of the information presented.



## 2 Reasons for Recommendations

To allow the Licensing sub-committee to make an informed decision in respect of individual licence applications and current licences in view of the information presented to them.

## 3 How does this deliver objectives of the Corporate Plan?

	Best start in life for children and young people: Our workforce and young people are skilled and talented geared up to respond to changing business needs to win rewarding jobs in a growing economy locally.
	Strong resilient communities: Our communities are built on mutual respect and taking care of each other, supported by all the agencies that ensure we feel safe and protected in our homes and local neighbourhoods.

## 4 Context and Key Issues

4.1 Section 51 of the Act provides that a district council shall on receipt of an application from any person for the grant to that person of a licence to drive private hire vehicles, grant to that person a licence:

- a) unless they are satisfied that the applicant is not a fit and proper person for the grant to that person of a licence to drive private hire vehicles, grant to that person a licence;
- b) to any person who has not for at least twelve months been, and is not at the date of application for a driver's licence, the holder of a licence granted under part III of the Act of 1972, 1988 (not being a provisional licence) authorising him to drive a motor car.

4.2 Section 61 (1) of the Act states that a district council may suspend, revoke or refuse to renew a private hire/hackney carriage driver's licence on any of the following grounds:

- a) the holder has, since the grant of the licence;
  - i) been convicted of an offence involving dishonesty, indecency or violence, or



- ii) been convicted of an offence or failed to comply with the provisions of this part of the Act, or
- iii) any other reasonable cause.

(2A) Subject to subsection (2B) of this section, a suspension or revocation of the licence of a driver under this section takes effect at the at the end of the period of 21 days beginning with the day on which notice is given to the driver under subsection (2)(a) of this section.

(2B) if it appears that the interest of public safety requires the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2)(a) of this section includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

4.3 Section 48 of the Act states that a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied:-

- (a) that the vehicle is:-
  - (i) suitable in type, size and design for use as a private hire vehicle;
  - (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;
  - (iii) in a suitable mechanical condition;
  - (iv) safe; and
  - (v) comfortable;
- (b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of part VI of the Act of 1972.



Section 55 of the Act states:-

(1) Subject to the provisions of this Part of this Act, a district council shall, on receipt of an application from any person for the grant to that person of a licence to operate private hire vehicles grant to that person an operator's licence:

Provided that a district council shall not grant a licence unless they are satisfied that the applicant is a fit and proper person to hold an operator's licence.

(2) Every licence granted under this section shall remain in force for such period, not being longer than five years, as a district council may specify in the licence.

(3) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary.

(4) Any applicant aggrieved by the refusal of a district council to grant an operator's licence under this section, or by any conditions attached to the grant of such a licence, may appeal to a magistrates' court.

4.4 Section 56 of the Act states:-

(1) For the purposes of this Part of this Act every contract for the hire of a private hire vehicle licensed under this Part of this Act shall be deemed to be made with the operator who accepted the booking for that vehicle whether or not he himself provided the vehicle.

(2) Every person to whom a licence in force under section 55 of this Act has been granted by a district council shall keep a record in such form as the council may, by condition attached to the grant of the licence, prescribe and shall enter therein, before the commencement of each journey, such particulars of every booking of a private hire vehicle invited or accepted by him, whether by accepting the same from the hirer or by undertaking it at the request of another operator, as the district council may by condition prescribe and shall produce such record on request to any authorised officer of the council or to any constable for inspection.



(3) Every person to whom a licence in force under section 55 of this Act has been granted by a district council shall keep such records as the council may, by conditions attached to the grant of the licence, prescribe of the particulars of any private hire vehicle operated by him and shall produce the same on request to any authorised officer of the council or to any constable for inspection.

(4) A person to whom a licence in force under section 55 of this Act has been granted by a district council shall produce the licence on request to any authorised officer of the council or any constable for inspection.

(5) If any person without reasonable excuse contravenes the provisions of this section, he shall be guilty of an offence.

4.5 Section 62(1) of the Act states a district council may suspend or revoke, or (on application therefore under section 55 of this Act) refuse to renew an operator's licence on any of the following grounds:-

- (a) any offence under, or non-compliance with, the provisions of this Part of this Act;
- (b) any conduct on the part of the operator which appears to the district council to render him unfit to hold an operator's licence;
- (c) any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted; or
- (d) any other reasonable cause.

4.6 Section 60 of the Act states that a district council may suspend or revoke or refuse to renew a vehicle licence on any of the following grounds:-

- (a) that the hackney carriage or private hire vehicle is unfit for use as a hackney carriage or private hire vehicle;
- (b) any offence under, or non-compliance with, the provisions of the Act of 1847 or of this part of this Act by the operator or driver; or
- (c) any other reasonable cause.



- 4.7 Individual case details are appended which refer to unspent convictions. Unspent convictions are those not covered by the Rehabilitation of Offenders Act 1974.
- 4.8 If an application is refused, suspended or revoked the applicant has the right of appeal to the Magistrates Court.

## 5 Alternative Options

There are no alternative options.

## 6 Implications

<b>Resources:</b>	There are no resource implications in this report
<b>Legal and Governance:</b>	Article 6 of the Human Rights Act 1998 state that in determination of a person's civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Article 8 states that everyone has the right to respect for his private and family life, his home and his correspondence. Part II, Article 1 of the Act states that every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles on international law.
<b>Risk:</b>	The Licensing sub-committees help to deter and prevent disorder by exercising its quasi-judicial powers.
<b>Equality:</b>	It was not necessary to undertake an Equality Impact Assessment.
<b>Health and Wellbeing:</b>	There are no direct health and wellbeing implications from this report.
<b>Social Value</b>	Implications for social value and how the proposals are meeting this (for e.g. employment of local traders, young people)



## 7. Appendices

Cases for consideration attached.

## 8. Background Papers

- Licensing (Miscellaneous Provisions) Act 1976
- Council Policy and Guidelines
- Human Rights Act 1998



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By virtue of paragraph(s) 1, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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