

Minutes of Licensing Sub Committee 1

**Monday 12 December 2022 at 1pm
At Sandwell Council House, Oldbury**

Present: Councillor Fenton (Chair);
Councillors J Giles, W Gill and Singh.

In attendance: Usha Devi (Senior Licensing Officer);
David Elliott (Legal Advisor);
Trisha Newton (Deputy Democratic Services Manager);
John Swann (Democratic Services Officer).

57/22 **Apologies for Absence**

Apologies for absence were received from Councillors Allen, M Gill and Wilkes.

58/22 **Declarations of Interest**

No interests were declared at the meeting.

59/22 **Exclusion of the Public and Press**

Resolved 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 any individual.



60/22 **Application for the grant of a Private Hire Driver's Licence in respect of Mr M H**

The Sub Committee was advised that Mr M H was not in attendance as his legal representative was not available.

The Sub Committee was minded to defer consideration of the application for the grant of a Private Hire Driver's License in respect of Mr M H, in order to allow Mr M H an opportunity to attend.

Resolved that consideration of the application of for the grant of a Private Hire Driver's License in respect of Mr M H be deferred to a future meeting.

61/22 **Application for the renewal of a Private Hire Driver's Licence in respect of Mr M H (1)**

The Sub Committee was advised that Mr M H (1) was not in attendance and family members had confirmed he was not available.

The Sub Committee was minded to defer consideration of the application for the renewal of a Private Hire Driver's License in respect of Mr M H (1), in order to allow Mr M H an opportunity to attend.

Resolved that consideration of the application of for the renewal of a Private Hire Driver's License in respect of Mr M H (1) be deferred to a future meeting.

62/22 **Application for the review of a Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr M U**

The Sub Committee was advised that Mr M U was not in attendance as his legal representative was not available.



The Sub Committee was minded to defer consideration of the application for the review of a Dual Private Hire and Hackney Carriage Driver's License in respect of Mr M U, in order to allow Mr M U an opportunity to attend.

Resolved that consideration of the application of for the review of a Dual Private Hire and Hackney Carriage Driver's License in respect of Mr M U be deferred to a future meeting.

63/22

Application for the grant of a Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr S K

Members considered the application for the grant of a Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr S K.

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

Mr S K had previously held a licence with the Council, however it was revoked by officers under delegated powers following a complaint which alleged Mr S K had committed an offence.

Mr S K had provided a copy of his passport in advance of the meeting and the Senior Licensing Officer confirmed that he had the right to work in the UK. Mr S K had no convictions identified on his DBS.

The Sub Committee heard that Mr S K held a licence with Wolverhampton City Council.

Additional information was circulated at the meeting.

(Meeting adjourned between 1.47pm to 2.14pm)

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

The Sub Committee had taken into consideration representations made by all parties.



The Sub Committee was minded to grant the Dual Private Hire and Hackney Carriage Driver's License in respect of Mr S K. Members took into account his DBS information and documentation and determined that he was a fit and proper person to hold a licence.

Resolved that the Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr S K be granted.

In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

(Meeting ended at 2.17pm)

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