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# JUDICIAL COMMITTEE (PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING)

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Agenda  
Item

2

Tuesday, 12<sup>th</sup> August 2014

**Present:** Councillor Tim O’Kane (in the Chair); Councillors Gareth Molineux, Jenny Nedwell, Dave Parkins, Joyce Plummer and Brain Roberts

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## **Apologies for Absence**

There were no apologies for absence.

## **Declarations of Interest and Dispensations**

There were no declarations of interest or dispensations.

## **Minutes of Last Meeting**

The Minutes of the meeting of the Judicial Committee (Private Hire and Hackney Carriage Licensing) held on 23<sup>rd</sup> June 2014 were submitted for approval as a correct record.

**Resolved** - That the Minutes be received and approved as a correct record.

## **Court Report - Mr. Noman Raja**

A report on the outcome of court proceedings relating to Private Hire Vehicle Licensing - Mr. Noman Raja was submitted. Mr. Raja’s Joint Driver’s Licence had been suspended by the Committee on 24<sup>th</sup> April 2014 for a period of 28 days and he had subsequently appealed to Blackburn Magistrates Court against that decision. The Court upheld the Council’s decision to suspend but had reduced the period of suspension to 14 days.

**Resolved** - That the report be noted.

## **Licensing Procedure for Meetings of the Committee**

The Licensing Procedure to be followed at the meeting in relation to Hackney Carriage and Private Hire Licences was submitted. A copy of the Procedure had been sent to the applicant.

**Resolved** - That the Licensing Procedure be noted and applied to the undermentioned application.

## Licensing Guidelines

The Licensing Guidelines (Appendix G of the Hyndburn Borough Council Hackney Carriage and Private Hire Licensing Policy 2013 - 2016) were submitted. A copy of the Guidelines had been sent to the applicant.

**Resolved** - That the Guidelines be received and applied to the undermentioned application.

## Exclusion of the Public

**Resolved** - That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following item, when it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that there would otherwise be disclosure of exempt information within the Paragraph at Schedule 12A of the Act specified at the item.

## Report Relating to a Licensed Private Hire Driver (SHK)

*(Exempt information under the Local Government Act 1972, Schedule 12A, Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information))*

The Licensing Manager (on behalf of the Executive Director - Legal and Democratic Services) submitted a report informing the Committee of relevant issues relating to a licensed private hire driver (SHK). Attention was drawn to Appendix G (Policy on the Relevance of Convictions and Cautions) of the Hyndburn Borough Council Hackney Carriage and Private Hire Licensing Policy 2013 – 2016. In accordance with licensing procedure, the applicant (SHK) and his representative had been invited to attend the meeting and in that respect, the applicant and his representatives (MY and CO) were in attendance.

Legal advice on the relevance of convictions was sought by and provided to the Committee at the meeting and the Committee was requested to consider whether the applicant was still a fit and proper person to continue to be licensed as a private hire driver.

## Decision of the Committee:-

**Resolved** - That, as the Driver (SHK) had committed offences under Section 143 Road Traffic Act 1988 and Town Police Clauses Act 1847, it was considered appropriate to suspend his private hire driver's licence for a period of 28 days pursuant to Section 61 of the Local government (Miscellaneous Provisions) Act 1976.

Signed: .....

Date: .....

Chair of the meeting at which the minutes were confirmed.