

LICENSING COMMITTEE

A meeting of the Licensing Committee was held on Monday 15 March 2021.

PRESENT: Councillors R Arundale (Chair), A Waters (Vice-Chair), A Bell, S Dean, T Higgins, S Hill, D Jones, L Lewis, E Polano, R Sands and J Walker

OFFICERS: S Bonner, J Dixon, C Cunningham, T Hodgkinson and S Morris

APOLOGIES FOR ABSENCE: Councillors J Goodchild, D Rooney and M Smiles

20/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

20/20 **MINUTES - LICENSING COMMITTEE - 14 DECEMBER 2020**

The minutes of the Licensing Committee held on 14 December 2020 were submitted and approved as a correct record.

20/21 **EXCLUSION OF PRESS AND PUBLIC**

ORDERED that the press and public be excluded from the meeting for the following items on the grounds that, if present, there would be disclosure to them of exempt information as defined in Paragraphs 1, 2, 3 or 7 of Part 1 of Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

20/22 **REVIEW OF COMBINED HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCE: REF: 02/21**

The Director of Adult Social Care and Health Integration submitted an exempt report in connection with the review of Combined Hackney Carriage and Private Hire Vehicle Driver Licence, Ref: 02/21, where circumstances had arisen which required special consideration by the Committee.

The Chair introduced those present and outlined the procedure to be followed. The driver was in attendance at the meeting and verified his name and address and confirmed that he had received a copy of the report and understood its contents.

The Licensing Manager presented a summary of the report which outlined that the driver was first licensed with Middlesbrough Council in November 2007 and that he now appeared before Members for review of his licence following a complaint made by a local business owner and the offence detailed at 1) in the report which resulted from the same incident.

The Licensing Manager advised that since the report was circulated, the Licensing department had been notified that the driver was appealing his sentence. The driver advised the Committee that he was appealing against the conviction and the sentence.

The Council's legal representative advised that if it should be determined the exact grounds of appeal as this would have a bearing on whether the matter could be considered by Committee at today's meeting.

At this point in the meeting the Chair agreed to a short adjournment of 15 minutes in order for clarification to be sought in relation to the grounds of the driver's appeal in order for the Committee to decide whether to proceed with the matter.

At 1.30pm the meeting reconvened and the Committee was informed that the driver's legal representative had confirmed that the appeal was against the conviction and the sentence and that this would be heard in Crown Court in May 2021.

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It was proposed, therefore, that consideration of the matter be deferred until such time that the driver's appeal had been heard as there was insufficient information before the Committee today.

ORDERED that consideration of the Review of Combined Hackney Carriage and Private Hire Vehicle driver licence, Ref No: 02/21 be deferred to a future meeting of the Licensing Committee, following the outcome of the driver's appeal, as there was insufficient information before the Committee to determine the matter today.