



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	FRIDAY, 10 JANUARY 2020 COMMENCING AT 10.00AM
Venue	CONFERENCE ROOM 4, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Charles Chapman (Chairman), Michael Beston, Steve Hastings
Officers Present	Marie Bartlett, Ben Gard, Samantha Rogers, Claire Thomas, Kevin Winchcombe

5. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on 27 September 2019 be confirmed.

6. [Declarations of Interest](#)

There were no declarations received at this stage.

7. [Exclusion of Public and Press](#)

RESOLVED :

THAT under the press and public be excluded from the meeting for the following item of business, namely Minute number 8, on the grounds that there was likely to be disclosure of personal information of the applicant and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

8. **Confidential report of the Director of Neighbourhoods**

Consideration was given to the report of the Director of Neighbourhoods, providing details of an application for a Hackney Carriage and Private Hire Driver Licence, received in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

The Sub Committee followed the agreed procedure, which had previously been circulated to all parties prior to the meeting. After hearing the Licensing Officers summary of the report the Sub Committee then received an oral presentation from the applicant. The Sub Committee then considered their decision in private session and presented the following decision and the reasons for that decision.

RESOLVED:

THAT upon receiving the report of the Licensing section, oral and written evidence from the applicant and having regard to the Isle of Wight Council's Hackney Carriage and Private Hire Licensing Policy, the application be determined as detailed below:

Application:

Hackney Carriage and Private Hire Driver Licence, received in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

Resolution:

THAT the application for a Hackney Carriage and Private Hire Driver Licence be refused.

Reasons for Decision:

On the evidence before the Sub Committee members consider that the qualification for drivers of hackney carriages has not been met, namely that under section 59(1)(a) Local Government (Miscellaneous Provisions) Act 1976 the applicant is not a fit and proper person to hold a driver's licence; and, that in relation to private hire, members are not satisfied that the application is a fit and proper person for the purposes of section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

The Sub Committee, having determined that the applicant is not a fit and proper person are prevented from issuing the licences in accordance with the legislation.

In reaching the decision the Sub Committee had regard to the Human Rights Act 1998, and in particular Article 1 of the First Protocol, Article 8 and Article 6.

All parties were advised that they had a right of appeal to the Magistrates' Court if they were dissatisfied with the decision, and that any such appeal had to be made within 21 days from the date of notification.

Public Participants:

Applicant

CHAIRMAN