

HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Sub Committee held on 24 January 2024

Present

Patrick, Gray and Harris

22 Apologies for Absence

There were no apologies of absence received for this meeting.

23 Declarations of Interests

There were no declarations of interest received from members present in respect of any item on the agenda.

24 Exclusion of the Press and Public.

The Committee were requested to resolve that the hearing be excluded from the Press and Public.

PROPOSED by Councillor Harris and **SECONDED** by Councillor Gray it was **RESOLVED** that the public be excluded from the meeting during consideration of the minutes headed and numbered as below because:

it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during those minutes there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and

in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Minute 25 An application for the Grant of a Combined Hackney Carriage and Private Hire Driver's Licence.

(Paragraphs 1 to 2)

25 Application for the Grant of a Combined Private Hire/Hackney Carriage Driver Licence

The Chairman welcomed all parties to the meeting and explained the procedure for the hearing.

The Licensing Officer explained that an application for a Combined Hackney Carriage and Private Hire Driver's Licence had been made by Applicant A. It was revealed that the applicant had been accused of over charging passengers.

The Licensing Officer explained that the purpose of the Sub-Committee was to determine whether Applicant A was a "fit and proper person" to hold a Combined Hackney Carriage and Private Hire Driver's Licence as required by Section 51 of the Local Government (Miscellaneous Provisions) Act 1976. The applicant explained the mitigating circumstances relating to the complaints and stated that, due to implementation of a new operating system within the company he worked for there was confusion surrounding the way tips were recorded. Following a number of complaints from passengers the driver was dismissed. Since taking up employment, the driver has secured a 5* rating with Uber within 4 months.

In making its decision the Sub-Committee took into consideration the representations made by the officers and Applicant A and had regard to:

- Local Government (Miscellaneous Provisions Act) 1976
- Town Police Clauses Act 1847
- Havant Borough Council's Hackney Carriage and Private Hire Licensing Policy
- Department for Transport's Statutory taxi and private hire vehicle standards
- IoL Guidance on determining the suitability of applicants and licensees in the private hire and hackney carriage trades.
- Human Rights Act 1998
- [Crime and Disorder Act 1998](#)
- Public Sector Equality Duty (s.149 Equality Act 2010)

The members were satisfied on the balance of probabilities that Applicant A was a "fit and proper" person to hold a licence but felt that such a licence should be granted for less than three years to enable the Council to monitor the performance of Applicant A.

RESOLVED That a Combined Hackney Carriage and Private Hire Driver's Licence be issued to Applicant A for a period of 1 year from the date the licence is issued.

Licensing Sub Committee (24.1.24)

The meeting commenced at 10.00 am and concluded at 10.40 am