



THE LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE AGENDA

TUESDAY 03 FEBRUARY 2015
(FOLLOWING THE FULL COMMITTEE)

COUNCIL CHAMBER, HEMEL HEMPSTEAD CIVIC CENTRE

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Cllr Mrs G Chapman
Cllr Conway
Cllr Fantham
Cllr Mrs Green (Chairman)

Cllr Hearn (Vice-Chairman)
Cllr Link
Cllr G Sutton

Substitutes: Councillors Mrs Bassadone, Bhinder, R Hollinghurst, Ryan and R Sutton.

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1. INTRODUCTIONS

2. MINUTES

To confirm the minutes of the meeting held on 28 October and 12 November 2014.

3. APOLOGIES FOR ABSENCE

To receive any apologies for absence

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

5. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules on Public Participation

6. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during the item in Part II of the Agenda for the meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt information relating to an individual which would be likely to reveal their identity (Items 7 & 8).

DACORUM BOROUGH COUNCIL

LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE

28 OCTOBER 2014

Present-

MEMBERS:

Councillor Mrs Green (Chairman), Fantham, Hearn (Vice-Chairman), Link, Ryan, R Sutton and G Sutton

OFFICERS:

B Lisgarten	Legal Governance Team Leader
R Hill	Licensing Team Leader
R Mabbitt	Licensing Enforcement Officer
T Lawson	Democratic Support Team Leader (Minutes)

Other Persons Present:

Kirk House – Public Participation
Terry Carrington – Public Participation
Mrs B – Applicant for Item 7

The meeting began at 7.30 pm

1. INTRODUCTION

The Chairman welcomed everyone to the meeting.

2. MINUTES

The minutes of the meeting held on 29 July 2014 were confirmed by the members present and then signed by the Chairman.

3. APOLOGIES FOR ABSENCE

Apologies received from Councillor G Chapman substituted by Councillor R Sutton.

4. DECLARATIONS OF INTEREST

Councillor R Sutton declared an interest in Item 7 as she knew the applicant's husband and withdrew herself from that part of the meeting.

5. PUBLIC PARTICIPATION

Councillor Mrs Green advised that notice had been received that Mr Kirk House would like to make a statement. She advised Mr House that he had two minutes to speak and at the end of that time he would be asked to leave and would receive a written response in due course. She then invited Mr House to begin.

Mr House asked if he could present the committee with a copy of some minutes from a Licensing meeting in 2003. Councillor Mrs Green agreed.

Mr House asked Members if he could draw their attention to the highlighted section and in particular that “the Council adopt a policy that allows renewal of existing Hackney Carriage licence plate with any type of approved vehicle”. He went on to say that he would like to appeal against a decision made in 2007, where he was refused permission to transfer a Hackney Carriage licence plate to a non-wheelchair accessible vehicle. He further added that the committee at that time were not given access to the Minutes he was presenting from 2003. He then added that they had also said that a licence plate had been sold for £10,000 and that that was untrue. He concluded by saying he would like to be able to put his Hackney Carriage Licence plate back on his car.

Councillor Mrs Green thanked him and advised Mr House that he was now free to leave, and that a written response would be sent after the meeting.

6. EXCLUSION OF THE PUBLIC

It was moved by Councillor Hearn and seconded by Councillor G Sutton to move to Part II of the meeting and to exclude the public.

Resolved:

That, under S.100A (4) of the Local Government Act 1972 the public be excluded during the items in Part II of the Agenda for this meeting, because it was likely, in view of the nature of the business to be transacted, that if members of the public were present during those items there would be disclosure to them of exempt information relating to an individual which is likely to reveal their identity (Minute 7 and 8).

7. REQUEST FOR EXEMPTION OF STANDARD CONDITIONS FOR AN ANIMAL HOME BOARDING ESTABLISHMENT CONDITIONS

Full details are in the Part 2 minutes.

8. REVIEW OF PRIVATE HIRE OPERATORS LICENCE

Full details are in the Part 2 minutes.

The meeting ended at 8.20 pm.

DACORUM BOROUGH COUNCIL

LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE

12 NOVEMBER 2014 at 9.30 am

Present-

MEMBERS:

Councillor Conway, Fantham, Mrs Green (Chairman), Hearn (Vice-Chairman), Link, G Sutton and R Sutton

OFFICERS:

B Lisgarten	Legal Governance Team Leader
R Hill	Licensing Team Leader
R Mabbitt	Licensing Enforcement Officer
T Coston	Member Support Officer

The meeting began at 9.30 am

1. INTRODUCTION

The Chairman welcomed everyone to the meeting.

2. MINUTES

There were no minutes to be signed at this meeting.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. PUBLIC PARTICIPATION

There was no public participation.

6. EXCLUSION OF THE PUBLIC

That, under S.100A (4) of the Local Government Act 1972 the public be excluded during the items in Part II of the Agenda for this meeting, because it was likely, in view of the nature of the business to be transacted, that if members of the public

were present during those items there would be disclosure to them of exempt information relating to an individual which is likely to reveal their identity (Minute 7).

7. REVIEW OF PRIVATE HIRE OPERATORS LICENCE

Full details are in the Part 2 minutes.

The meeting ended at 9.40 am.

APPENDIX C

PROCEDURE FOR THE LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE (HACKNEY CARRIAGES)

1. The Chairman will open the proceedings by stating the nature of the matter, which is to be considered, (first application/renewal/suspension/revocation), whether the proceedings concern a vehicle, driver or operator licence, and the name of the applicant or licence holder.
2. The Chairman will introduce himself/herself and the Members of the Committee, the Clerk to the Committee and any other officer present.
3. The Chairman will ask the officers to confirm whether or not the formal requirements in respect of the matter to be considered have been complied with. In the case of a proposed suspension or revocation of licence or a refusal to renew, the Chairman will ask the officers to confirm whether or not the requisite 14 days' prior notice has been served on the licence holder.
4. If satisfied as to the formal requirements the Committee will consider the merits of the application or proposed suspension/revocation and the report of the officers. The Committee may ask the officers for clarification of any points in issue.
5. The Chairman will then invite the applicant or licence holder to make any representations. The applicant or licence holder may make his/her representations personally or through a representative, who shall first identify him/herself.
6. The Chairman and other members of the Committee may ask the applicant or licence holder questions and points of clarification.
7. The applicant or licence holder, his/her representative (if any) and any officer present (with the exception of the Clerk to the Committee) shall withdraw.
8. The members of the Committee consider their decision. If any further clarification or information is required from the applicant or licence holder or any officer, all parties will be recalled.
9. All parties will be recalled for the announcement by the Chairman of the Committee's decision.
10. The Committee's decision will be confirmed in writing by the Solicitor to the Council.
11. At any point in this procedure, the Committee may pass a resolution excluding the press and public from the meeting on the basis that, if they were to remain, there may be disclosure of exempt information (information relating to individuals which is likely to reveal their identities).