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LICENSING & APPEALS COMMITTEE

Minutes of a Meeting held on Wednesday 21 July 2016 in the Committee Room, Town Hall, Matlock at 1.30pm.

PRESENT Councillor Jean Monks - In the Chair
Councillors Tom Donnelly and Joyce Pawley
Eileen Tierney (Licensing Manager), Wendy Li (Senior Solicitor), Annette Reading (Democratic & Electoral Services Assistant)
The Applicant
The Applicant's representative

123/16 – ELECTION OF CHAIRMAN

It was moved by Councillor Donnelly, seconded by Councillor Pawley and

RESOLVED That Councillor Jean Monks be elected as Chairman of the panel.
(Unanimously)

124/16 – EXCLUSION OF THE PUBLIC AND PRESS

It was moved by Councillor Jean Monks, seconded by Councillor Tom Donnelly

RESOLVED That in accordance with Section 100A of the Local Government Act 1972 the public and press be excluded because it is likely that the nature of the business to be transacted would result in exempt information being disclosed and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
(Unanimously)

At this point the Sub-Committee excluded the public and press because in determining the application, members would need to consider personal information relating to the applicant.

125/16 – TAXI /PRIVATE HIRE VEHICLE DRIVER LICENSING

It was reported that, in accordance with the Council’s licensing procedures an application for a taxi/private hire vehicle driver Licence had been referred to the Licensing & Appeals Sub-Committee for determination as the applicant had passed the knowledge Test but whose criminal record disclosure certificate had revealed relevant convictions.

The Licensing Officer explained the circumstances of the applicant’s referral to the Sub-Committee. The Sub-Committee and the applicant were given an opportunity to question the Licensing Officer.

The applicant presented his case.

The applicant’s representative made a comment.

The Sub-Committee and the Licensing Officer were given an opportunity to question the applicant.

The Sub-Committee confirmed they had enough information to determine the matter and left the meeting room.

After some deliberation the Committee resumed the meeting to ask for further clarification on the Applicant’s statement.

126/16 – DECISION

It was moved by Councillor Jean Monks, seconded by Councillor Joyce Pawley and

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| RESOLVED | <p>That having considered all the evidence put before it, the Sub-Committee has determined that the applicant is a fit and proper person and will be allowed to hold a Hackney Carriage/Private Hire Vehicle Driver’s Licence in Derbyshire Dales for a period of one year and provided there are no complaints, cautions or convictions, that authority will be delegated to the Licensing Manager to renew the licence for a period of 3 years.</p> <p><u>Reason for Decision</u></p> <p>The reasons for the decision are contained in the Decision Notice that is attached to the exempt minute as they include personal information relating to the applicant.</p> |
| Voting: For Against Absentions | 2 1 0 |

MEETING CLOSED – 2.25pm

APPEALS TO THE MAGISTRATES' COURTS

Many of the enforcement actions and decisions made by Derbyshire Dales District Council carry the right of appeal to the Magistrates' Court. This means that if you do not agree with the decision that the District Council has made you may contact the Magistrates' Court and ask them to formally review it. For example, anyone served with a formal enforcement notice has the right to appeal against that notice within 21 days of its service.

How do I make an appeal?

The right to appeal is normally set out on the reverse of the notice or in a letter that accompanies it.

The Derbyshire Dales District Council area is served by two Magistrates' Courts:

- North East Derbyshire and Dales Magistrates' Court, Tapton Lane, Chesterfield S41 7TW, Tel: 01246 224040, and
- Southern Derbyshire Magistrates' Court, St Mary's Gate, Derby DE1 3JR, Tel: 01332 362000

Which Court should I contact?

Generally speaking the North East Derbyshire and Dales Magistrates' Court serves the northern part of the District and Southern Derbyshire Magistrates' Court serves the southern part of the District.

The Court that you would need to contact to make an appeal will depend on the address to which the notice or other enforcement decision relates. If you are unsure which Court would deal with your appeal, we recommend that you contact one of them to check.

Where can I get help?

If you think you need help we would recommend that you speak to a solicitor who would be able to assist you with the Court processes.

The District Council is not able to recommend any particular firm of solicitors but would suggest you check in Yellow Pages or a local services directory.