

LICENSING AND ENVIRONMENTAL PROTECTION COMMITTEE

At a meeting of this Committee held on
25 April 2024

(Present) **Councillor C D Banks (Chair)**
Councillors J Banks, Bell, Campbell, Haw, Hawley, Laird, T
Long, Maloney, Maguire, Mussell, Sheldon and Tasker

(Not Present) **Councillor Hattersley and Uddin**

49 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Hattersley.

50 DECLARATIONS OF INTEREST FROM MEMBERS

There were no declarations of interest from Members.

51 MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2024

* **Resolved that the minutes of the meeting held on 21 February 2024 be approved and signed.**

52 TAXI LICENSING MODERNISATION – DECISION FOLLOWING CONSULTATION

A report was presented to Members which detailed the responses to the consultation on the proposed changes to the process of applying to become a licensed driver in St Helens. Members were advised the proposed changes are to the Driver Training requirements and Vehicle Testing and Compliance procedures.

Members approved the request to enter consultation at the Committee meeting on 21 February 2024. This consultation commenced on 22 February 2024 for a period of four weeks. The consultation was sent to all existing licence holders in St Helens and published on the Council's website.

Members were advised there were 18 responses to the consultation which were appended to the report at Appendix A. There was a positive response to the proposed changes to the vehicle testing and respondents were of the view that the changes would be beneficial to the trade in terms of cost, value for money and choice of location of vehicle testing.

Members were asked to note the responses to the consultation and adopt the new Driver Training requirement and Vehicle Testing and Compliance procedures.

* **Resolved that:**

(1) the responses to the consultation be noted;

(2) to adopt the proposed changes to Driver Training requirements and Vehicle Testing and Compliance procedure.

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53 EXCLUSION OF THE PUBLIC

- * Resolved that the public be excluded from the meeting during consideration of the following items for the reason stated:

<u>Minutes</u>	<u>Reason (under Local Government Act 1972)</u>
54	Information relating to any individual in accordance with Paragraph 1 of Schedule 12A.

54 DETERMINATION OF NEW HACKNEY CARRIAGE / PRIVATE HIRE DRIVER APPLICATION (REF JGS)

A report was presented to the Committee to consider an application for a Hackney Carriage/Private Hire Driver's Licence (Ref: JGS).

In making their application on 19 March 2024, the Applicant declared a conviction on the relevant section of the application form. A DBS certificate had been presented to the Licensing Authority on 8 March 2024 which confirmed the conviction.

Members noted that the conviction was for a relevant offence set out within the Council's Statement of Taxi Licensing Policy.

The Applicant also declared on his application form that he had previously applied for a Hackney Carriage/Private Hire Driver's Licence with another Local Authority and the application was refused by their Committee.

The Applicant attended an interview with the Licensing Authority on 8 April 2024. A copy of these notes had been circulated to Members in advance of the meeting and were appended to the Report at Appendix 2.

The Licensing Authority also obtained further information from the other Local Authority regarding the Committee hearing which was also submitted in advance of the hearing. Members were advised that the version of events for the conviction given to the two Local Authorities by the Applicant were different.

The Applicant also submitted a character reference which had been circulated to Members in advance of the hearing.

The Committee was advised of the Council's Statement of Taxi Licensing Policy on such offences and that this type of offence would generally prevent a person from being licensed.

The Applicant was in attendance and was given every opportunity to present their case to Members and answer questions.

The Applicant was then invited to sum up their case and was advised that the Committee's decision would be conveyed to them by email the following morning, with a decision letter to follow in due course.

The Applicant and the Licensing Manager then left the meeting whilst the Committee deliberated in private with the Council's Solicitor.

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- * Resolved that the Application for Hackney Carriage/Private Hire Driver's Licence (Ref: JGS) be refused as the Committee was not satisfied that the Applicant was a "fit and proper person" to hold the relevant licences pursuant to section 51 and 59 of the Local Government (Miscellaneous Provisions Act) 1976 and the Council's Policy.

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