

## **Public Minutes of the Meeting of the Licensing Sub-Committee held on 23 September 2020 at 7.00 pm**

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**Present:** Councillors Gary Collins (Chair), Tony Fish and Sue Sammons

**In attendance:** Applicant Minute Number 12  
Applicant Minute Number 13  
Applicant Minute Number 14  
Alex Maschas, Licensing Officer, Basildon Borough Council  
Paul Adams, Licensing Manager  
Laura Manning, Licensing Officer  
Lois Bland, Legal Representative  
Kenna-Victoria Healey, Senior Democratic Services Officer

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Before the start of the meeting, the Chair explained that the meeting would be audio recorded.

### **Exclusion of the Public and Press**

Members of the Sub-Committee agreed that, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 1 (Information relating to any individual) of Schedule 12A of that Act

### **10. Items of Urgent Business**

There were no items of urgent business.

### **11. Declarations of Interests**

There were no declarations of interest.

### **12. Determination Of A Private Hire Driver Licence**

The Chair asked all parties if they had any requests, and it was noted that there were no requests.

The Licensing Officer introduced the report to Members of the Sub-Committee informing them, the report was for the determination of a Private Hire Driver Licence.

Members and the applicant were provided the chance to ask questions of the Licensing Officer. There were none from the applicant.

The applicant was then provided with the opportunity to present his case.

Members and the Licensing Officer were given an opportunity to ask questions to the applicant.

The Chair then moved on to closing summaries.

The Licensing Officer provided a short summary to the Sub-Committee and in doing so advised the applicant had been referred to the Licensing Sub-Committee under Thurrock Council's statement of policy and guidelines relating to the relevance of convictions, formal / simple cautions, complaints and/or other matters. She continued by stating it was for the Sub-Committee decide whether the applicant was a fit and proper person to hold a Private Hire driver's licence.

It was further remarked that there was an eyewitness whose job was to enforce the law and so was deemed to be a reliable witness.

The applicant was asked to present a summary of his case to Members; during which he said that Covid-19 had resulted in him being made redundant from his job and therefore seeking a second job. He continued by stating that he did not take his job lightly and although he was a smoker, did not smoke in the vehicle as he did not own it.

He commented that he felt there were too many contradictions to the story of the witness.

The Chair asked if there were any further questions, there were none. The Sub-Committee adjourned at 7.35pm for deliberation and were accompanied by the Legal Advisor and the Democratic Services Officer.

The meeting reconvened at 7.56pm.

**RESOLVED:**

**That the applicant be required to pass a taxi driving assessment at the next availability date.**

**13. Determination Of A New Private Hire Vehicle Application**

The Chair asked all parties if they had any requests, and it was noted that there were no requests.

The Licensing Officer introduced the report to Members of the Sub-Committee informing them, the report was for the determination of a new Private Hire vehicle Licence.

Members and the applicant were provided the chance to ask questions of the Licensing Officer. There were none from the applicant.

The applicant was then provided with the opportunity to present his case.

Members and the Licensing Officer were given an opportunity to ask questions to the applicant.

The Chair then moved on to closing summaries.

The Licensing Officer provided a short summary to the Sub-Committee and in doing so advised she had nothing further to add.

The applicant was asked to present a summary of his case to Members; during which he said he had nothing further to say.

The Chair asked if there were any further questions, there were none.

The Sub-Committee adjourned at 8.11pm for deliberation and were accompanied by the Legal Advisor and the Democratic Services Officer.

The meeting reconvened at 8.16pm.

#### **RESOLVED:**

**That the Sub-Committee feel there were exceptional circumstances to depart from its policies and approved the vehicle in respect of a Private Hire vehicle licence.**

#### **14. Review Of A Private Hire Driver Licence**

The Chair asked all parties if they had any requests, and it was noted that there were no requests.

The Licensing Officer introduced the report to Members of the Sub-Committee informing them, the report was for the determination of a Private Hire Driver Licence.

Members and the applicant were provided the chance to ask questions of the Licensing Officer. There were none from the applicant.

The applicant was then provided with the opportunity to present her case.

Members and the Licensing Officer were given an opportunity to ask questions to the applicant.

The Chair then moved on to closing summaries.

The Licensing Officer provided a short summary to the Sub-Committee. She remarked that the Sub-Committee must decide whether the applicant was a fit and proper person to hold a Private Hire driver's licence.

The applicant was asked to present a summary of her case to Members; during which she said that she didn't use a phone when she was driving and

didn't have any points on her licence. She continued by apologising to the Sub-Committee.

The Chair asked if there were any further questions, there were none.

The Sub-Committee adjourned at 8.25pm for deliberation and were accompanied by the Legal Advisor and the Democratic Services Officer.

The meeting reconvened at 8.34pm.

**RESOLVED:**

**That the applicant be required to pass a taxi driving assessment at the next availability date.**

**The meeting finished at 8.36 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

**Any queries regarding these Minutes, please contact  
Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**