

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 16 December 2014

PRESENT: Councillors David Barker (Chair), Jillian Creasy and Stuart Wattam

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on items 4 and 5 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - APPLICATION FOR A PERSONAL LICENCE

4.1 The Chief Licensing Officer submitted a report to consider an application for a Personal Licence made under Section 117 of the Licensing Act 2003 (Case No. 122/14).

4.2 Present at the meeting were the applicant, the applicant's business partner, Benita Mumby (South Yorkshire Police Licensing, Objectors), Clive Stephenson (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that representations had been received from South Yorkshire Police Licensing Section, and were attached at Appendix 'B' to the report.

4.5 Benita Mumby made representation on behalf of South Yorkshire Police, referring to the applicant's offences and convictions. She made specific reference to the offences, detailing the offences, the date of conviction and indicating that, under Section 5 of the Rehabilitation of Offenders Act, her objection is based on the prevention of crime and disorder and that the applicant has unspent convictions against him. Ms Mumby also responded to a number of questions raised by Members of the Sub-Committee.

- 4.6 The applicant addressed the Sub-Committee. The applicant stated that he regretted carrying out the offences, that his personal circumstances had changed and that he was trying to build a new life. He responded to a number of questions raised by Members of, and the Solicitor to, the Sub-Committee, and Clive Stephenson.
- 4.7 RESOLVED: That the attendees involved in the application for a Personal Licence be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.8 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.9 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.10 RESOLVED: That the application for a Personal Licence (Case No. 122/14) be granted in the terms now requested.

5. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

- 5.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.
- 5.2 The applicant in Case No. 113/14 attended the hearing and addressed the Sub-Committee.
- 5.3 The applicant in Case No. 104/14 attended the hearing and addressed the Sub-Committee.
- 5.4 The applicant in Case No. 124/14 attended the hearing and addressed the Sub-Committee.
- 5.5 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
113/14	Application for a new Hackney Carriage and Private Hire Driver's Licence	Defer until the next available date, on the basis that the applicant's representative was unable to attend the hearing and the applicant requested a deferral.
104/14	Application for a new Hackney Carriage and Private Hire Driver's Licence (Under 21)	Grant a licence for the normal term of nine months and, on the first renewal, authority be given to grant the applicant a 12

month licence and, on any subsequent renewals, an 18 month licence, subject to there being no cause for concern.

124/14

Application for a new Hackney Carriage and Private Hire Driver's Licence

Grant a licence for the normal term of nine months and, on the first renewal, authority be given to grant the applicant a 12 month licence and, on any subsequent renewals, an 18 month licence, subject to there being no further cause for concern.

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