
JUDICIAL COMMITTEE (PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING)

Friday, 17th January, 2025

Present: Kimberley Whitehead (in the Chair), Councillors Vanessa Alexander, Danny Cassidy, Bernard Dawson MBE, Stewart Eaves and Marlene Haworth. Stewart Eaves

Apologies Councillor Melissa Fisher

293 Apologies for absence, Substitutions, Declarations of Interest and Dispensations

Apologies for absence were submitted on behalf of Councillor Melissa Fisher. Councillor Stewart Eaves substituted for Councillor Melissa Fisher.

There were no interests or dispensations declared at the meeting.

294 Minutes of Last Meeting

The Minutes of the Judicial Committee (Private Hire and Hackney Carriage), held on 31st July 2024, were submitted for approval as a correct record.

Resolved – That the Minutes be received and approved as a correct record.

295 Licensing Procedure for Meetings of the Committee

The Licensing Procedure to be followed at the meeting in relation to Hackney Carriage and Private Hire driver's licences was submitted.

A copy of the procedure was included within the agenda and the respective Licensing Procedure had been provided to each driver.

Resolved – That the Procedure be noted.

296 Licensing Guidelines

The Institute of Licensing Guidelines for Hackney Carriage and Private Hire Trades was submitted, which was used to assist Hyndburn Borough Council when determining the suitability of applicants and licensees in the Hackney Carriage and Private Hire trades.

Resolved – That the Guidance be noted.

297 Exclusion of the Public

Resolved – That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following items, when it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings,

that there would otherwise be disclosure of exempt information within the Paragraphs at Scheduled 12A of the Act, specified at the items.

298 Consideration of a grant of a private hire and hackney carriage joint driver's licence (RA)

Exempt information under the Local Government Act 1972, Schedule 12, Paragraph 1- Information relating to any individual.

In accordance with the licensing procedure, the driver (RA) had been invited to attend the meeting and was in attendance.

The Licensing Manager, on behalf of the Executive Director (Legal and Democratic Services), presented a report which required Members to determine whether to grant an application for a private hire and hackney carriage joint driver's licence. She provided relevant information relating to why the Committee had been asked to consider the matter and what action could be taken in respect of granting the driver's private hire and hackney carriage joint driver's licence. She gave details of the driver's previous history as set out in paragraph 3 of the report, which referred to an offence committed and a failure to declare on the application form. The Committee was referred to the Council Policy on determining the suitability of those in the hackney carriage and private hire trade and advised that the policy should only be departed from in exceptional circumstances.

The driver was given the opportunity to provide the Committee with a response. The driver explained he thought he had declared the offence committed on the application form albeit a paper form not the online form, it was not intentional. The driver also discussed some family circumstances leading up the offence.

Committee Members were given the opportunity to ask questions of both the officers and the driver before being requested to consider the representations made at the meeting and the issues raised in the report. They were asked to determine whether the applicant was a fit and proper person to hold a private hire and hackney carriage joint driver's licence.

After retiring to consider its decision, the Committee came to the following determination:

Resolved – That, having considered the matters contained in the report and the representation made by the applicant along with the Council's Policy on determining the suitability of applicants and licensees in the hackney carriage and private hire trade, the Committee determined that the application should be refused. The Committee determined that the applicant had committed the offence and had displayed by not declaring the offence on the application form. The Committee could not see any exceptional circumstances which could persuade them to depart from the Council's policy and they resolved that the applicant is not a fit and proper person to be granted a hackney carriage and private hire joint driver's licence.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed

