

Present: Councillor Pat Vaughan (*in the Chair*),
Councillor Loraine Woolley, Councillor
Kathleen Brothwell, Councillor Adrianna McNulty and
Councillor Alan Briggs

Apologies for Absence: None.

5. Confirmation of Minutes - 30 May 2019

The minutes from the previous meeting were confirmed with the following amendment:

- a. In item 2 of the minute the Disclosable Pecuniary Interest related to Councillor Pat Vaughan's Grandson and not son as stated in the previous minutes.

6. Declarations of Interest

No declarations of interest were received.

7. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

8. To interview a licence holder who's licence has been suspended with immediate effect under the Road Safety Act 2006 (item No 07/2019)

The Licensing Officer:

- a) Explained that the licensee had held a licence since 22 January 2019.
- b) Highlighted that the licensee had had his Private Hire drivers Licence suspended with immediate effect on 15 February 2019 following a phone call received to say that he had been arrested the previous day. The Licensee was suspended under Section 52 of the Road Safety Act 2006.

Members asked the licensee relevant questions in relation to his serious offences in which the licensee responded accordingly.

Decision

That the licensee's suspension was to remain in place.

Reasons for the Decision

- The character references provided by the Licensee were taken into account in coming to a decision. One of the references was questionable because it came from a taxi firm that was not operating any more.
- The two section 5 offences to which the Licensee pleaded guilty involved the Licensee acting in a way that could cause alarm or distress to others in a place where there was a high risk that the behaviour could have been in the sight of children.
- The two section 5 offences took place within three days of each other and were serious enough in themselves to cause the licence to be revoked under the present Licensing Policy.
- The Lincolnshire Police were so concerned by the offences that they insisted on keeping warning comments on the Licensee's DBS check referring to the original alleged offences of indecency, which had been reduced to section 5 offences as a result of a plea bargain with the CPS. This warning would be apparent if the Licensee were to apply for a fresh licence.
- The Licensee did not persuade the Sub-Committee that he had given a full and honest disclosure of all the circumstances of the offences.
- The safety of the travelling public, particularly children, was the primary concern of the Sub-Committee which concluded on the balance of probabilities was best served by continuing to suspend the Licensee's licence.