

5 JULY 2012

## NEW FOREST DISTRICT COUNCIL

### LICENSING SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held at Appletree Court, Lyndhurst on Thursday, 5 July 2012.

#### **Councillors:**

p G C Beck  
p S Clarke

#### **Councillors:**

p P R Woods

#### **Officers Attending**

Ms G O'Rourke, Ms M Stephens and P Weston.

#### **Also Attending:**

Mr Jolley - Applicant (Report B).

#### **1. ELECTION OF CHAIRMAN.**

##### **RESOLVED:**

That Cllr P R Woods be elected Chairman of the Sub-Committee for this meeting.

(Cllr Woods in the Chair).

#### **2. DECLARATIONS OF INTEREST.**

No declarations of interest were made by members in connection with any agenda items.

#### **3. PUBLIC PARTICIPATION.**

No members of the public addressed the Sub-Committee during the public participation period.

#### **4. TO CONSIDER THE APPLICATION FOR A RENEWAL OF A COMBINED HACKNEY AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE (REPORT A).**

The Sub-Committee considered an application for a renewal of a Combined Hackney Carriage and Private Hire Vehicle Driver Licence.

The application had been put before the Sub-Committee because the Applicant had been charged on 14 January 2011 for driving a motor vehicle with excess alcohol.

The Licensing Officer and the Applicant presented their respective cases and responded to Members' questions.

The Licensing Officer and the Applicant then withdrew, while the Sub-Committee deliberated the matter.

The Sub-Committee had to be satisfied that the applicant was a fit and proper person in order to renew the licence. The Council's policy stated that an applicant would not normally be granted a licence if the applicant had been convicted of an offence of driving with excess alcohol unless three years had elapsed since the restoration to him of a full UK driving licence. Additionally the Council's policy stated that a serious view would be taken of convictions of driving a motor vehicle with excess alcohol.

In this case, whilst the applicant had been charged with driving with excess alcohol, he had been able to demonstrate to the Magistrates that exceptional circumstances prevailed and as a result he did not receive the automatic disqualification. Penalty points and a fine had been imposed instead.

In light of this, and the particular circumstances of the offence, namely that the applicant had been simply moving his car to a more convenient parking space in the car park of the public house and not intending to drive thereafter, the Sub-Committee had been prepared to renew the applicant's private hire and hackney carriage driver's licence. They had been satisfied he was a fit and proper person.

As such it was,

**RESOLVED:**

That the application for renewal of the Applicant's Hackney Carriage and Private Hire Vehicle Driver Licence be granted.

CHAIRMAN