

Licensing Sub-Committee (Regulatory)

Monday 16 January 2023 at 10.00 am

**To be held at the Town Hall, Pinstone
Street, Sheffield, S1 2HH**

Membership

Councillors Jayne Dunn (Chair), Talib Hussain and Cliff Woodcraft
Abdul Khayum (Reserve)

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact John Turner on 0114 474 1947 or email john.turner@sheffield.gov.uk

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
16 JANUARY 2023**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meetings**
To approve the minutes of minutes of the Sub-Committee (Regulatory) held on 15th, 16th, 23rd, 30th August, 6th, 13th, 20th and 27th September, 4th, 10th, 17th and 24th October and 1st, 15th and 21st November, 2022
- 6. Hackney Carriage and Private Hire Licensing - Individual Cases**
Report of the Chief Licensing Officer.

<p>*(NOTE: The report at item 6 in the above agenda is not available to the public and press because it contains exempt information described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972 (as amended))</p>
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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its Policy Committees, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from David Hollis, Interim Director of Legal and Governance by emailing david.hollis@sheffield.gov.uk.

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Licensing Sub-Committee (Regulatory)

Meeting held 15 August 2022

PRESENT: Councillors Jayne Dunn (Chair), Dawn Dale and Cliff Woodcraft

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 item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of four cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 106/22 did not attend the hearing, and no prior notice had been received from him. It was agreed to consider the case in his absence.

4.3 The applicant in Case No. 115/22 attended the hearing with two representatives, and they all addressed the Sub-Committee.

4.4 The licence holder in Case No. 104/22 attended the hearing with two representatives, and they all addressed the Sub-Committee.

4.5 The applicant in Case No. 116/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.6 **RESOLVED:** That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either

prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
106/22	Application for a Hackney Carriage and Private Hire Driver's Licence	Refuse to grant a licence on the grounds that, in the light of the offence now reported, the Sub-Committee did not consider the applicant to be a fit and proper person to hold a licence.
115/22	Application for a Hackney Carriage and Private Hire Driver's Licence	Grant a licence for 12 months, as requested, on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence, subject to him first undertaking and passing the Driving Test.
104/22	Review of a Hackney Carriage and Private Hire Driver's Licence	Immediately revoke the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, on the grounds that, in view of the incident now reported, the Sub-Committee does not consider the licence holder to be a fit and proper person to hold a licence.
116/22	Application to Extend a Private Hire Vehicle Licence	Extend the licence for the shorter period of six months, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 16 August 2022

PRESENT: Councillors David Barker (Chair), Abdul Khayum and George Lindars-Hammond

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 item 6 on the agenda (item 5 of these minutes) 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. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - SCHOOLS (ICE CREAM) STREET TRADING CONSENT

4.1 The Chief Licensing Officer submitted a report to consider an application, under the Local Government (Miscellaneous Provisions) Act 1982, to renew a Schools (Ice Cream) Street Trading Consent to trade at Birley Primary School, Thornbridge Avenue, Sheffield, S12 3AB (Ref. No.103/22).

4.2 Present at the meeting were Paul Grayson (Applicant), Councillor Neale Gibson (on behalf of the Applicant), Emma Rhodes-Evans (Licensing Enforcement and Technical Officer), Samantha Bond (Legal Adviser to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Samantha Bond outlined the procedure which would be followed during the hearing.

4.4 Emma Rhodes-Evans presented the report to the Sub-Committee stating that the applicant had submitted a renewal application of a Schools (Ice Cream) Street Trading Consent on 9th May, 2022 which had been circulated to the relevant

Responsible Authorities and the Headteacher of the School. Ms. Rhodes-Evans stated that three objections had been received against the renewal application and these were attached at Appendix "B" to the report.

- 4.5 Neale Gibson, on behalf of the applicant, referred to a petition that had been sent to Licensing Services signed by local residents and the parents of the child involved in a road traffic accident, who had run in front of the parked ice cream van and was in collision with a car. He said the petition contained 160 signatures, asking that the applicant be allowed to continue to park outside the school. Mr. Gibson referred to the objections that had been received stating that the applicant's vehicle added to the congestion around the area and the safety of pupils leaving school. He refuted this, stating that Thornbridge Road was a one-way street with double yellow lines on the opposite side of the road to where the applicant parked. Mr. Gibson referred to the photograph on page 21 of the report, which showed that drivers of oncoming vehicles should clearly be able to see customers at the ice cream van and be aware of pedestrians on the footpath on that side of the road. He said that the road led into a housing estate and felt that if it were considered that a crossing be laid outside the school, the Highways Department would have installed one. The applicant, Mr. Grayson, said that the mum of the child involved in the accident had approached him stating that he was in no way responsible for the accident, that her son had been playing and had run out into the road and she felt that the accident was her fault, not his.
- 4.6 In response to questions from Members of the Sub-Committee, Paul Grayson said that he had traded outside the school for the past six or seven years and prior to that, another vendor had traded there for more than 30 years without complaint. He said that if he didn't park where he did on a daily basis, another vehicle, either car or large van, would park there. Paul Grayson said that once served, his customers would walk along the same side of the road to the nearby estate or to catch a bus. Neale Gibson said that there wasn't a better place to park as there were a number of cul-de-sacs further along Thornbridge Road and people only travelled along the road to access either the school or the estate. He said that the headteacher of the school had previously objected to an ice cream van being parked outside the school and continued to do so on the grounds that it added to the congestion on a very busy road, but as can be seen from the number of emails included within the report and comments on social media, local residents very much supported the ice cream van being parked on Thornbridge Road. Neale Gibson said that the police had visited the area twice to see if there was a better place for the vehicle to park but hadn't identified a more suitable location.
- 4.7 In summary, Neale Gibson said that there was strong support from the community as they considered Paul Grayson to be an asset to the area. He said there had been an ice cream van situated outside the school for almost 40 years and there had been no objections from South Yorkshire Police or the Highways Department. He said that the road traffic accident had been a one-off incident which could in no way be attributed to Mr. Grayson.
- 4.8 At this point in the proceedings, Emma Rhodes-Evans outlined the options available to the Sub-Committee.

- 4.9 RESOLVED: That the public and press and attendees involved in the application 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.
- 4.10 Samantha Bond reported orally, giving legal advice on various aspects of the application.
- 4.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.12 RESOLVED: That in the light of the information contained in the report now submitted, and the representations now made, (a) approval be given for the grant of a Schools (Ice Cream) Street Trading Consent at Birley Community Primary School, Thornbridge Avenue, Sheffield S12 3AB (Ref No. 103/22), as applied for and (b) in recognition of the road safety concerns that have been raised by the objectors, requests the Highways Service to assess the road.

5. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

- 5.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.
- 5.2 The applicant in Case No.117/22 attended the hearing and addressed the Sub-Committee.
- 5.3 The applicant in Case No.118/22 attended the hearing and addressed the Sub-Committee.
- 5.4 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
117/22	Application to Extend a Private Hire Vehicle Licence	Extend the licence for 12 months as applied for, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
118/22	Application for the renewal of a Hackney Carriage and Private	Grant a licence for 12 months as applied for, but the applicant be issued with a written warning with regard to his

Hire Driver's Licence future conduct, with such warning to remain live for the term of the licence.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 23 August 2022

PRESENT: Councillors David Barker (Chair) and Lewis Chinchon

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Denise Fox.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 122/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.3 The applicant in Case No. 119/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.4 The licence holder in Case No.121/22 had indicated he could not attend the hearing and asked for a deferment. In the light of the serious nature of circumstances, the case be considered in his absence.

4.5 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
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122/22	Application for a new Hackney Carriage/Private Hire Driver's Licence	Grant a licence for the term of two years as requested, but the applicant be issued with a written warning with regard to his future conduct, with such warning to remain live for the term of the licence.
119/22	Application for a new Hackney Carriage/Private Hire Driver's Licence	Grant a licence for the term of three years as requested, on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence.
121/22	Review of a Hackney Carriage/Private Hire Driver's Licence	Immediately revoke the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, on the grounds that the Sub-Committee considers the licence holder to be an immediate and ongoing risk to the public.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 30 August 2022

PRESENT: Councillors David Barker, Henry Nottage and Maroof Raouf

1. APOLOGIES FOR ABSENCE

- 1.1 No apologies for absence were received. Councillor Denise Fox attended as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

- 4.1 The Chief Licensing Officer submitted details in respect of four cases relating to hackney carriage and private hire licensing.
- 4.2 The licence holder in Case No. 123/22 attended the hearing with a representative, and they both addressed the Sub-Committee.
- 4.3 The licence holder in Case No. 124/22 did not attend the hearing, and no prior notice had been received from him.
- 4.4 The licence holder in Case No. 125/22 attended the hearing with two representatives, and they all addressed the Sub-Committee.
- 4.5 The applicant in Case No. 127/22 attended the hearing and addressed the Sub-Committee.
- 4.6 **RESOLVED:** That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
123/22	Review of a Hackney Carriage and Private Hire Driver's Licence	(a) the licence holder be issued with a written warning as to his future conduct, to remain live for the term of his current licence and (b) a condition be attached to his licence to the effect that he be required to have his vehicle door signage permanently fixed to the doors of his vehicle.
124/22	Review of a Hackney Carriage and Private Hire Driver's Licence	The licence holder be granted one further opportunity to attend a hearing and present his case in person.
125/22	Review of a Hackney Carriage and Private Hire Driver's Licence	The licence holder be issued with a written warning as to his future conduct, to remain live for the term of his current licence.
127/22	Application to Renew a Private Hire Vehicle Licence	Grant a licence for six months on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Committee (Regulatory)

Meeting held 6 September 2022

PRESENT: Councillors David Barker (Joint Chair), Roger Davison and Maroof Raouf

1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Lewis Chinchin, Dawn Dale, Jayne Dunn, Denise Fox, Abdul Khayum, George Lindars-Hammond, Henry Nottage and Ann Woolhouse.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest made at the meeting.

4. MINUTES OF PREVIOUS MEETINGS

- 4.1 RESOLVED: That the minutes of the meetings of the Licensing Sub-Committee (Regulatory), held on 18th, 24th and 25th January, 1st, 7th and 22nd February, 7th, 8th, 21st, 22nd, 28th and 29th March, 4th, 5th, 11th, 12th, 19th and 26th April, 9th, 16th, 23rd and 31st May, 6th, 7th, 14th, 21st and 28th June and 25th and 26th July 2022, were approved as accurate records.

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 13 September 2022

PRESENT: Councillors David Barker (Chair) and Henry Nottage

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Maroof Raouf.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No. 133/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.3 The licence holder in Case No. 124/22 did not attend the hearing and the Sub-Committee decided to proceed to consider the case in his absence.

4.4 The applicant in Case No. 135/22 did not attend the hearing and had not provided any reasons for his non-attendance.

4.5 The applicant in Case No. 136/22 attended the hearing and addressed the Sub-Committee.

4.6 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
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133/22	Application to extend a Private Hire Vehicle Licence	Grant an extension to the licence for up to 6 months on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
124/22	Review of a Hackney Carriage/Private Hire Driver's Licence	Revoke the licence under section 61 of the Local Government (Miscellaneous Provisions) Act 1976 on the grounds that, in view of the offences now reported, the Sub-Committee does not consider the licence holder to be a fit and proper person to hold a licence.
135/22	Application to extend a Private Hire Vehicle Licence	The applicant be granted one further opportunity to attend to present his case.
136/22	Application to extend a Private Hire Vehicle Licence	Refuse to extend the licence on the grounds that the applicant has not provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 20 September 2022

PRESENT: Councillors David Barker (Chair), Abdul Khayum and Maroof Raouf

1. APOLOGIES FOR ABSENCE

- 1.1 No apologies for absence were received. Councillor Cliff Woodcraft attended as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

- 4.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.
- 4.2 The applicant in Case No.137/22 attended the hearing and addressed the Sub-Committee.
- 4.3 The applicant in Case No.138/22 attended the hearing and addressed the Sub-Committee.
- 4.4 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
137/22	Application to extend a Private Hire Vehicle Licence	Extend the licence for 12 months as applied for, on the grounds that the applicant has provided sufficient

138/22	Application to renew a Hackney Carriage and Private Hire Vehicle Driver's Licence	<p>evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.</p> <p>Grant the licence for a shorter term than requested of 12 months and the applicant be given a written warning as to his future conduct, to remain live for the term of the licence.</p>
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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 27 September 2022

PRESENT: Councillors David Barker (Chair), Denise Fox and Maroof Raouf

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 item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of two cases relating to hackney carriage and private hire licensing.

4.2 The licence holder in Case No.139/22 attended the hearing with a representative and they both addressed the Sub-Committee.

4.3 The applicant in Case No.135/22 attended the hearing and addressed the Sub-Committee.

4.4 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
139/22	Review of a Hackney	Immediately revoke the licence under

	Carriage and Private Hire Driver's Licence	Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, on the grounds that, in view of the offences now reported, the Sub-Committee no longer considers the licence holder to be a fit and proper person to hold a licence.
135/22	Application to extend a Private Hire Vehicle Licence	Refuse to extend the licence on the grounds that the applicant has not provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 4 October 2022

PRESENT: Councillors David Barker (Chair), Maroof Raouf and Cliff Woodcraft

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Roger Davison.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

4.2 The licence holder in Case No.124/22 attended the hearing and addressed the Sub-Committee.

4.3 The applicant in Case No.141/22 attended the hearing and addressed the Sub-Committee.

4.4 The applicant in case No. 144/22 attended the hearing with a friend, and they both addressed the Sub-Committee.

4.5 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
124/22	Review of a Hackney Carriage/Private Hire Driver's Licence	(a) the licence holder be issued with a written warning as to his future conduct, to remain live for the term of his current licence and (b) a condition be attached to

		his licence to the effect that he be required to have his vehicle door signage permanently fixed to the doors of his vehicle.
141/22	Application to grant a Hackney Carriage and Private Hire Driver's Licence	Refuse to grant a licence on the grounds that, in the light of the incident now reported, the Sub-Committee does not consider the applicant to be a fit and proper person to hold a licence.
144/22	Application to extend a Private Hire Vehicle Licence	Extend the licence for 12 months as applied for, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 10 October 2022

PRESENT: Councillors Jayne Dunn (Chair), Henry Nottage and Vickie Priestley

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 item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of four cases relating to hackney carriage and private hire licensing.

4.2 The licence holder in Case No.143/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.3 The applicant in Case No.145/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.4 The licence holder in Case No.142/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.5 The applicant in Case No.146/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.6 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
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143/22	Review of a Hackney Carriage and Private Hire Driver's Licence	Defer making a decision on the case until on or around 5 th December, 2022, when the licensee is due to answer bail.
145/22	Application to renew a Hackney Carriage Vehicle Licence	Renew the licence for the shorter term than applied for, of six months, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles
142/22	Review of a Hackney Carriage and Private Hire Driver's Licence	Immediately revoke the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, on the grounds that, in view of the information now received, the Sub-Committee considers the licence holder not to be a fit and proper person to hold a licence.
146/22	Application to extend a Private Hire Vehicle Licence	Extend the licence for the shorter term than applied for of six months, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 17 October 2022

PRESENT: Councillors Jayne Dunn (Chair), Lewis Chinchon and Henry Nottage

1. APOLOGIES FOR ABSENCE

- 1.1 No apologies for absence were received. Councillor David Barker attended as a reserve Member but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

- 4.1 The Chief Licensing Officer submitted details in respect of four cases relating to hackney carriage and private hire licensing.
- 4.2 The licence holder in Case No. 148/22 attended the hearing and addressed the Sub-Committee.
- 4.3 The applicant in Case No. 147/22 did not attend the hearing and it was decided to hear the case in his absence.
- 4.4 The applicant in Case No. 150/22 attended the hearing and addressed the Sub-Committee.
- 4.5 The applicant in Case No. 152/22 attended the hearing and addressed the Sub-Committee.
- 4.6 **RESOLVED:** That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
148/22	Review of a Hackney Carriage and Private Hire Driver's Licence	Take no action.
147/22	Application to extend a Private Hire Vehicle Licence	Extend the licence for 12 months, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
150/22	Application to extend a Private Hire Vehicle Licence	Refuse to extend the licence on the grounds that the applicant has not provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
152/22	Application to extend a Private Hire Vehicle Licence	Extend the licence for 12 months, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 24 October 2022

PRESENT: Councillors Jayne Dunn (Chair), Henry Nottage and Vickie Priestley

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 item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to hackney carriage and private hire licensing.

4.2 The licence holder in Case No.153/22 attended the hearing and addressed the Sub-Committee.

4.3 The applicant in Case No. 155/22 attended the hearing and addressed the Sub-Committee.

4.4 The applicant in Case No.159/22 attended the hearing with a representative and they both addressed the Sub-Committee.

4.5 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be

determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
153/22	Review of a Hackney Carriage and Private Hire Driver's Licence	Immediately revoke the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, on the grounds that the Sub-Committee considers the licence holder to be an immediate and ongoing risk to the public.
155/22	Application to Extend a Private Hire Vehicle Licence	Extend the licence for up to 12-months, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
159/22	Application to Extend a Private Hire Vehicle Licence	Extend the licence for up to 12-months, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 1 November 2022

PRESENT: Councillors David Barker (Chair), Maroof Raouf and Cliff Woodcraft

1. APOLOGIES FOR ABSENCE

- 1.1 No apologies for absence were received. Councillor Abdul Khayum attended the meeting as reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

- 4.1 The Chief Licensing Officer submitted details in respect of four cases relating to hackney carriage and private hire licensing.
- 4.2 The applicant in Case No.160/22 attended the hearing with two representatives and they all addressed the Sub-Committee.
- 4.3 The licence holder in Case No. 162/22 attended the hearing and addressed the Sub-Committee.
- 4.4 The applicant in Case No.166/22 attended the hearing and addressed the Sub-Committee.
- 4.5 The applicant in Case No.167/22 attended the hearing and addressed the Sub-Committee.
- 4.6 **RESOLVED:** That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the

cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
160/22	Application to Extend a Private Hire Vehicle Licence	Grant a license for 6-months, as applied for, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
162/22	Review of a Hackney Carriage and Private Hire Driver's Licence	Immediately suspend the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, on the grounds that the Sub-Committee considers that, in light of the offence now committed, the license holder is not a fit and proper person to hold a licence until he provides evidence to the Licensing Service, in person, that private hire operator door signage has been displayed permanently on the relevant vehicle, at which point the suspension shall be lifted.
166/22	Application to Extend a Private Hire Vehicle Licence	Refuse to extend the licence on the grounds that the applicant has not provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
167/22	Application to Extend a Private Hire Vehicle Licence	Refuse to extend the licence on the grounds that the applicant has not provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 15 November 2022

PRESENT: Councillors David Barker (Chair), Maroof Raouf and Sophie Thornton

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received. Councillor Cliff Woodcraft attended the meeting as reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of four cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No.118/22 attended the hearing and addressed the Sub-Committee.

4.3 The applicant in Case No. 168/22 attended the hearing and addressed the Sub-Committee.

4.4 The applicant in Case No.169/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.5 The applicant in Case No.170/22 attended the hearing with a representative, and they both addressed the Sub-Committee.

4.6 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
118/22	Application to Extend a Private Hire Vehicle Licence	Grant a licence for six months, as applied for, on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
168/22	Request to be Exempt from the Conditions of a Private Hire Vehicle Licence	Grant an exemption, as requested, for 12 months in the light of the exceptional circumstances now reported, with the decision being reviewed after this period.
169/22	Application for a Hackney Carriage and Private Hire Driver's Licence	Refuse to grant a licence on the grounds that, in the light of the information now reported, the Sub-Committee does not consider the applicant to be a fit and proper person to hold a licence.
170/22	Application for a Hackney Carriage and Private Hire Driver's Licence	Refuse to grant a licence on the grounds that, in the light of the information now reported, the Sub-Committee does not consider the applicant to be a fit and proper person to hold a licence.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Regulatory)

Meeting held 21 November 2022

PRESENT: Councillors Jayne Dunn (Chair), Lewis Chinchon and Vickie Priestley

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 item 5 on the agenda (item 4 of these minutes) 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. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of four cases relating to hackney carriage and private hire licensing.

4.2 The applicant in Case No.161/22 attended the hearing with a representative and they both addressed the Sub-Committee.

4.3 The applicant in Case No.171/22 attended the hearing and addressed the Sub-Committee.

4.4 The applicant in Case No.172/22 attended the hearing and addressed the Sub-Committee.

4.5 The applicant in Case No.173/22 attended the hearing with two representatives and they all addressed the Sub-Committee.

4.6 RESOLVED: That, after consideration of the information contained in the case papers, and the information now reported and, where relevant, circulated either prior to the meeting, but after publication of the agenda, or at the meeting, the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
161/22	Application for the extension of a Hackney Carriage Vehicle Licence	Grant a licence for 12 months on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
171/22	Application for the renewal of a Private Hire Vehicle Licence	Subject to the vehicle passing a Certificate of Compliance test, grant a licence for 12 months on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.
172/22	Application for the renewal of a Hackney Carriage and Private Hire Driver's Licence	(a) Grant a licence for three years, as requested, on the grounds that the Sub-Committee considers the applicant to be a fit and proper person to hold a licence, and (b) the applicant be required to undertake the Certificate in the Role of the Professional Taxi and Private Hire Driver within 12 months of the date of issue of the licence.
173/22	Application for the renewal of a Private Hire Vehicle Licence	Grant a licence for 12 months on the grounds that the applicant has provided sufficient evidence to convince the Sub-Committee that there are exceptional reasons to deviate from the current policy on the age limit of vehicles.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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