

Minutes

Licensing Committee

24th March 2021



Present:

Councillors	Present	Councillors	Present
J Baugh (Chairman)	Yes	S Rehman	Apologies
Mrs J Beavis	Yes	B Rose (Vice-Chairman)	Yes
P Euesden	Yes	P Schwier	Yes
A Hensman	Yes	R van Dulken	Yes
S Hicks	Yes	Mrs L Walters	Yes
H Johnson	Yes	Mrs S Wilson	Yes
Mrs J Pell	Yes	B Wright	Yes

39 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

40 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 10th February 2021 be approved as a correct record.

41 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

42 **HACKNEY CARRIAGE PROPRIETORS' LICENCES - ALLOCATION**

INFORMATION: Consideration was given to a report on, and the allocation of, two Hackney Carriage Vehicle Proprietors' Licences.

Members of the Committee were reminded that the Council, as the Licensing Authority, was responsible for issuing Hackney Carriage Proprietors' Licences. Currently, the Council limited the number of such Licences issued under Section 37 of the Town Police Clauses Act 1847 to 84. Any Licences returned to the Council were required to be allocated in accordance with the Council's Policy for the Allocation of Hackney Carriage Proprietors' Licences, which had been agreed in 2014. This ensured that the allocation of Licences was handled in a fair, open

and transparent way. The Policy required that the allocation of Licences should be by random ballot. Two Proprietors' Licences were currently available for allocation.

All currently licensed Braintree District Council Hackney Carriage drivers and Dual Hackney Carriage/Private Hire drivers and Private Hire Operators had been notified that two Hackney Carriage Proprietors' Licences were available for allocation and they had been invited to register their interest in obtaining the Licences. A total of 34 expressions of interest had been submitted. Two expressions of interest had been received from people who already held multiple Hackney Carriage Proprietors' Licences and, in accordance with the Council's Allocation Policy, these had been deemed invalid and they had not been included in the ballot for the re-allocation of the Licences. The remaining expressions of interest had been entered into the ballot to be drawn at this meeting of the Licensing Committee. The expressions of interest had been allocated a number from 1 to 32 according to the order in which they had been received by the Council. Details of these numbers and the corresponding name of each applicant were set out in the report. The numbers attached to each individual would be used as identifiers in the ballot.

The report set out how the ballot would be conducted. As the Licensing Committee meeting was being held virtually in response to the Coronavirus (COVID-19) pandemic, the ballot would be conducted differently to previous ballots. A web-based, independent number generator 'Calculator.net' would be used to draw lots randomly from the numbers 1 to 32 to correspond with the expressions of interest received. This process would be administered by the Council's Governance and Member Manager, who was independent and not part of the Council's Licensing Service. Lots would be drawn for each of the Licences available, together with two reserves should the successful applicants be unable to meet the Council's requirements. The second reserve would be invited to accept a Licence only if the successful applicants and the first reserve were all unable to do so. The ballot would be conducted openly and transparently and members of the public would be able to follow the ballot via the Council's YouTube channel.

The successful applicants would each be required to licence a wheelchair accessible vehicle within 28 days of the ballot and to meet the Council's current vehicle criteria. Each of them would also be required to complete a declaration that the Proprietors' Licences would not be sold, or transferred for a period of five years. Furthermore, if a successful applicant was an existing Hackney Carriage Proprietor he/she would be required to complete a declaration not to sell, or transfer their existing Licence(s).

The Governance and Member Manager carried out a test during the meeting to illustrate to the Members of the Licensing Committee and to members of the public watching via the Council's YouTube channel how 'Calculator.net' would be used to draw the required lots.

The Governance and Member Manager then drew the actual ballot at the meeting via 'Calculator.net'. This process could be observed by Members of the Licensing Committee and Officers and members of the public watching via YouTube.

The outcome of the ballot is recorded below.

DECISION:

- (1) That a Hackney Carriage Proprietor's Licence be issued to each of the following applicants, subject to the Council's requirements being met:-

<u>Allocation</u>	<u>Application Number</u>	<u>Name of Applicant</u>
1	18	Mr Robin Nigel Johnson
2	28	Mr Zahid Hussain

- (2) That, if either or both of the above-mentioned applicants is not able to meet the Council's requirements, the Hackney Carriage Proprietor' Licence(s) be issued to the following applicants on the reserve, approved list in the order indicated, subject to the same requirements being met:-

<u>Reserve Allocation</u>	<u>Application Number</u>	<u>Name of Applicant</u>
1	25	Mr Mark Keen
2	11	Mr Adam Benkerri

The meeting closed at 7.36pm.

Councillor J Baugh
(Chairman)