

Minutes of the Meeting of the Licensing Sub-Committee held on 22 March 2023 at 7.00 pm

Present: Councillors Gary Collins (Chair), Cathy Kent and Sue Sammons

In attendance: Applicant Representatives (x3) Minute Item 56
Applicant Minute Item 57
Paul Adams, Licensing Manager
Elizabeth Cox, Licensing Officer
Lois Bland, Legal Representative
Kenna-Victoria Healey, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting was being recorded, however as the items in front of the Sub-Committee were exempt it would be not be available on the Council's website.

54. Items of Urgent Business

There were no items of urgent business.

55. Declarations of Interests

Councillor Sammons declared that the location of the Scrap Metal Dealer in item 4 was within her ward, however she felt she could hear the case with an open mind.

56. Determination of an Application to Renew a Scrap Metal Dealer Licence

The Chair of the Sub-Committee advised all present of the process of the hearing. He then invited the Licensing Officer to introduce the report as outlined within the agenda on pages 5 to 58

Members and the applicant were provided the chance to ask questions of the Licensing Officer. There were none.

The applicant was then given the opportunity to present his case, during which Members heard the circumstances which caused the company to be convicted in 2021. The Committee heard an outline of representations against the proposed refusal of the license and full details of these representations were attached at Appendix 3 of the committee agenda. The Committee additionally heard which steps the company had taken to correct the error which led to the earlier conviction.

Members and the Licensing Officer were provided the chance to ask questions of the applicant. There were none from the Licensing Officer.

During questions from Members, it was clarified that European Metal Recycling Ltd did have a waste licence as required, however it was the wrong type of waste licence for the material they were depositing.

Members sought reassurance that the same mistake would not be repeated. The applicant's representative explained that a process had been put in place to ensure this was not repeated, including a new waste management team who were responsible for checking transfers and training for all commercial colleagues was to be arranged.

The Licensing Officer then provided a short summary to the Sub-Committee during which she commented Members had heard from the applicant's representative and had sight of the factual report, it was for the Sub-Committee to decide if they felt the company now had better compliance in place.

The applicant's representative was asked to present a summary of his case to Members; during which he commented he hoped he had explained the situation and had answered Members questions as fully as possible.

The Chair sought everyone had said all they wished too; it was agreed they had. The Sub-Committee then adjourned at 7.16pm for deliberation and were accompanied by the Legal Advisor and the Democratic Services Officer.

The meeting reconvened at 7.21pm

RESOLVED:

That the Sub-Committee agrees to grant the licence.

Exclusion of The Public And Press

Members of the Sub-Committee agreed that, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 1 (Information relating to any individual) of Schedule 12A of that Act.

57. Review Of A Hackney Carriage / Private Hire Driver Licence

The Chair of the Sub-Committee advised all present of the process of the hearing. He then invited the Licensing Officer to introduce the report as outlined within the agenda on pages 59 to 78.

Members and the applicant were provided the chance to ask questions of the Licensing Officer.

The applicant was then given the opportunity to present his case.

Members and the Licensing Officer were provided the chance to ask questions of the applicant. There were none.

The Licensing Officer then provided a short summary to the Sub-Committee during which she commented Members had heard from the applicant and it was for the Sub-Committee to decide whether the applicant was a fit and proper person to hold a Private Driver's licence.

The applicant was asked to present a summary of his case to Members; during which he commented he would be grateful if the Sub-Committee would grant his licence so he could help his local community.

The Chair sought everyone had said all they wished too; it was agreed they had. The Sub-Committee then adjourned at 7.35pm for deliberation and were accompanied by the Legal Advisor and the Democratic Services Officer.

The meeting reconvened at 8.02pm

RESOLVED:

That the Sub-Committee agrees revoke the Hackney Carriage / Private Hire Driver's licence.

The meeting finished at 8.08 pm

Approved as a true and correct record

CHAIR

DATE

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Democratic Services at Direct.Democracy@thurrock.gov.uk**