

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Committee held at 10.00 am
on Tuesday, 28 March 2017

Present:

Members: Councillor T Khan (Chair)
Councillor J Clifford
Councillor G Crookes
Councillor D Gannon
Councillor B Kaur
Councillor D Kershaw
Councillor A Lucas
Councillor T Mayer
Councillor G Ridley
Councillor T Sawdon
Councillor R Thay (Deputy Chair)

Employees (by Directorate):

Place: S Beechey, M Coggins, A Harwood, U Patel, A Wright

Apologies: Councillor R Auluck, C Thomas and S Walsh

Public Business

75. Declarations of Interest

There were no declarations of interest.

76. Minutes

The minutes of the Committee meeting held on 28 February 2017 were signed as a true record subject to the following amendment to Minute 73(a) which should read:

- (a) The consideration of the application for the Grant of a Hackney Carriage Driver's Licence by Mr Mohammed Hanif be adjourned to a future meeting pending further clarification on the Council's taxi policy.**

The Committee requested that it be formally recorded that they had reached a decision regarding the application which was about to be delivered when the taxi applicant's legal representative raised a query in relation to the Council's taxi policy guidelines on offences.

(Note: Mr H Hanif and his legal representative attended the meeting in support of his application).

77. Exclusion of Press and Public

RESOLVED that, under Section 1004(A) of the Local Government Act 1972, the public ne excluded from the meeting for the items of business indicated below, on the grounds that those items involve the likely disclosure of exempt information, as defined in Schedule 12A of that Act, in particular those paragraphs of Part 1 of the Schedule as indicated:

Minute No.	Subject	Relevant Paragraph of Part 1 of Schedule 12A
80	Illegal Tobacco Products (1)	7
81	Illegal Tobacco Products (2)	7
82	Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Driver's Licences	1 and 3

78. Outstanding Issues Report

There were no outstanding issues.

79. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of urgent public business.

80. Illegal Tobacco Products (1)

RESOLVED that, having considered a report of the Executive Director of Place, the Council Solicitor be authorised to institute legal proceedings under the Trade Marks Act 1994, Regulation 48 of the Tobacco and Related Products Regulations 2016 and the Consumer Protection from Unfair Trading Regulations 2008 against appropriate persons in respect of the illegal tobacco products found in a Lexus motor vehicle parked in Broad Street, Coventry.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

81. Illegal Tobacco Products (2)

RESOLVED that, having considered a report of the Executive Director of Place, the Council Solicitor be authorised to institute legal proceedings under the Trade Marks Act 1994, Regulation 48 of the Tobacco and Related Products Regulations 2016 and the Consumer Protection from Unfair

Trading Regulations 2008 against appropriate persons in respect of the illegal tobacco products found at Gossip News, 105 Far Gosford Street, Coventry.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

82. Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences

RESOLVED that having considered the circumstances set out in the reports of the Executive Director of Place now submitted:

(a) Further to Minute 73(a), the application for the grant of a Hackney Carriage Driver's licence by Mr Mohammed Hanif be refused.

(Notes: 1. The Committee Solicitor confirmed that the policy guidelines in relation to offences within the taxi application reports was correct.
2. Mr Hanif attended the meeting for the consideration of his application
3. Mr Hanif was given an opportunity at the meeting to make representations on the clarification of the policy guidelines. He chose not to do so, but made a few further representations on the substantive application.
4. Councillors Gannon and Kershaw left the meeting for the consideration of this item as they were not present at the last meeting when the application was first considered and adjourned).

(b) The Hackney Carriage Driver's Licence held by Mr Mohammed Tariq Butt be revoked.

(Note: Mr M T Butt attended the meeting for the consideration of his case).

(c) The application for the grant of a Hackney Carriage Driver's Licence by Mr Salem Nasier be approved.

(Note: Mr S Nasier attended the meeting for the consideration of his application).

(d) The application for the grant of a Hackney Carriage Driver's Licence by Mr Mohammed Jakir Hassan be refused.

(Note: Mr M J Hassan attended the meeting for the consideration of his application).

83. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of urgent private business.

(Meeting closed at 12.25 pm)