

Minutes of Licensing Sub-Committee

Meeting Date: Tuesday, 3 November 2015, starting at 4pm
Present: Councillor J Alcock (Chairman)

Councillors:

P Elms
J Holgate

In attendance: Solicitor, Electoral and Licensing Officer, Taxi Enforcement Officer.

APOLOGIES

There were no apologies for absence from the meeting.

DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the fact that the following items of business by exempt information under Category 1 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

LICENSING HEARING – TAXIS

Private Hire Driver's Licence

Committee received a report of the Head of Legal and Democratic Services which included the infringements which had taken place.

The driver was not present to make any representations to the Sub-Committee, but the Sub-Committee did take into account his written representations.

RESOLVED: The Sub-Committee decided that 6 points should be imposed on the driver's private hire driver's licence.

Private Hire Driver's Licence

The Sub-Committee considered a report of the Head of Legal and Democratic Services which included the infringements which had taken place.

The driver was given the opportunity to make representations to the Sub-Committee, who then considered all the circumstances, and determined the use of sanctions against the licence holder.

RESOLVED: The Sub-Committee agree that the conduct of the driver has not been that of a fit and proper person to hold a licence and the driver should be suspended for a period of 6 months to deter him from misconduct in the future and so render him once again a fit and proper person.

Private Hire Driver's Licence

Committee considered a report of the Head of Legal and Democratic Services which included the infringements that had taken place.

The driver was given the opportunity to make representations to the Sub-Committee who then considered all the circumstances, and determined the use of sanctions against the licence holder.

RESOLVED: The Sub-Committee agreed that in the circumstances the infringement points issued on 6 July 2014 should not have been issued to the driver and should be removed from his licence so that only the infringement points issued on 27 June 2015 for failure to wear a private hire driver's badge would remain.

Hackney Carriage Driver's Licence

Committee considered a report of the Head of Legal and Democratic Services which included the infringements that had taken place.

The driver was given the opportunity to make representations to the Sub-Committee who then considered all the circumstances, and determined the use of sanctions against the licence holder.

RESOLVED: The Sub-Committee agreed that the conduct of the driver had not been that of a fit and proper person to hold a licence and that he should be suspended for 28 days to deter him from misconduct in the future and so render him once again a fit and proper person.

Hackney Carriage Driver's Licence

The Sub-Committee considered a report of the Head of Legal and Democratic Services which included the infringements which had taken place.

The driver was not present to make representations to the Sub-Committee but the Sub-Committee did consider an email submitted by the driver.

RESOLVED: The Sub-Committee concluded that the actions of the driver, including failure to ensure safety of passengers, driving whilst using the phone, and subsequent failure to report a traffic accident, meant that the driver was not a fit and proper person to hold a hackney carriage driver's licence, and that the appropriate action was to revoke the driver's licence pursuant to Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976. The Sub-Committee further agreed that it was in the interests of public safety for the revocation to have immediate effect pursuant to Section 61(2B) of the Act.

Hackney Carriage Driver's Licence

Committee considered a report of the Head of Legal and Democratic Services which included the accrued infringements points.

The driver was not present to make representations to the Sub-Committee.

RESOLVED: The Sub-Committee agreed that the conduct of the driver had not been that of a fit and proper person to hold a licence and that he should be suspended for 6 months to deter him from misconduct in the future and so render him once again a fit and proper person.

The meeting closed at 5.20pm

If you have any queries on these minutes please contact Diane Rice (414418).