

**GENERAL LICENSING COMMITTEE  
27 AUGUST 2013**

**PRESENT** – Councillors Nutt (in the Chair), C.L.B. Hughes, B. Jones, Newall, J. Vasey and L. Vasey (6)

**APOLOGIES** – Councillors L. Haszeldine, D. Jones, J. Lyonette, Lawton, Lee, Thistlethwaite, Stenson. (7)

**L18. DECLARATIONS OF INTEREST** – There were no interests declared at the meeting.

**L19. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Licensing Committee held on 30<sup>th</sup> July 2013.

**RESOLVED** – That the Minutes be approved.

**L20. EXCLUSION OF THE PUBLIC – RESOLVED** – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part I of Schedule 12A to the Act.

**L21. APPLICATIONS FOR AND REVIEWS OF PRIVATE HIRE DRIVER LICENCES** – The Director of Place submitted a report (previously circulated) inviting Members to consider applications for Private Hire Driver Licences following convictions and medical issues. (Two supplementary appendices were considered at the request of the Chair to enable the applications to be dealt with as quickly as possible and were previously circulated).

**(1) Ref. No. 16/13** Pursuant to Minute number L15 (2) August/2012 an application for a Private Hire Driver Licence in light of a number of convictions/offences revealed on the application form and subsequent Criminal Record Check. The applicant had previously held a Hackney Carriage Driver Licence up until 2008. He had also appeared before the Committee in August 2012, when the application for a Private Hire Driving Licence was refused.

The applicant addressed the meeting and responded to Members' questions in relation to the offences and to why he felt he was a fit and proper person to hold a Private Hire Driver Licence.

Members discussed the applicant's history of convictions and offences. Members accepted the explanation about him turning his life around particularly following the course he attended in respect of domestic violence. Members were extremely concerned at the numerous convictions for offences of violence and offences of dishonesty, but acknowledged that he had not recently committed any offences and had complied with the Council's Policy of three years being passed since the date of the last conviction.

**RESOLVED** – That the application for a Private Hire Driver Licence be granted with a warning letter advising that any further incidents or offences of any kind would result in his immediate return to Committee for further review of his licence.

**(2) Ref. No. 14/13** – Pursuant to Minute number L17(1)/July/2013 an application for a Private Hire Driver Licence in light of motoring convictions and a health issue. Further convictions only came to light on receipt of his Criminal Record Check, as he did not declare all of his convictions on the application form as he should have done.

The Licensing Manager informed the Committee that the information requested from DVLA in respect of the last three motoring convictions had recently been received by the Council. The response did not provide any additional information in respect of the nature of the offences or the penalty occurred.

The applicant addressed the meeting and responded to Members' questions in relation to the offences and to why he felt he was a fit and proper person to hold a Private Hire Driver Licence.

Members discussed the applicant's history of convictions and offences. Members accepted the explanation that he no longer drinks alcohol and has turned his life around. Members considered that the fact that one of the convictions for driving with excess alcohol occurred 22 years ago and the other occurred some 14 years later permitted them to depart from the Council's policy to refuse an application if a person had more than one conviction. Members expressed concern about the number of convictions and the fact that he had deliberately failed to declare the convictions on his application form, making a false declaration. Members also considered the applicant's health issues and agreed that a Licence should be granted subject to regular medicals of not more than three yearly intervals.

**RESOLVED** – That subject to three yearly medicals, the application for a Private Hire Driver Licence be granted.

**(3) Ref. No. 17/13** – An application for a Private Hire Driver Licence in light of a number of convictions and offences and further convictions only coming to light on receipt of his Criminal Record Check.

The applicant addressed the meeting and responded to Members' questions in relation to the offences and to why he felt he was a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the applicant's past criminal record and took into account the Council's Policy in respect of the number of offences of driving with excess alcohol and felt unable to depart from the Policy. Members also took into account the number of offences in relation to driving while disqualified and driving without insurance. Members expressed concern about the number of convictions and the fact that he had deliberately failed to declare some convictions on his application form, making a false declaration.

**RESOLVED** – That the application be refused as the Committee did not consider the applicant to be a fit and proper person to hold a Private Hire Driver Licence