

GENERAL LICENSING SUB COMMITTEE

29 SEPTEMBER 2015

PRESENT – Councillors L. Haszeldine, B. Jones, Mrs Jones, Kane and Lee. (5)

OFFICERS – Pam Ross, Licensing, Car Parks, Trading Standards and CCTV Manager; Julie Richings, Principal Licensing Officer; Helen Thompson, Lawyer; PCSO M McAllister; and Allison Hill, Democratic Officer.

LGS13. ELECTION OF CHAIR – That Councillor Kane be elected Chair for the purposes of this meeting.

LGS14. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LGS15. 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.

LGS16. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE APPLICATION AND REVIEW – The Director of Economic Growth submitted a report (previously circulated) inviting Members to give consideration to an application for a Private Hire Driver Licence in the light of a major traffic offence and to give further consideration to a Private Hire Driver Licence in the light of his failing to declare a motoring conviction over a four year period and also in light of the fact that his DVLA licence has been revoked for four years due to his failure to submit his licence for points to be added.

(1) Ref. No. 10/15 – Pursuant to Minute LGS4(2)/Jul/15, to give further consideration to an application for a Private Hire Driver Licence in light of a conviction for No Insurance on 15 October, 2011.

The driver attended the meeting and responded to Members questions in relation to the above, and to why he felt that he was a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy in relation to consideration of applicants with a conviction, caution, reprimands, or when dealing with other information revealed during the application process, which will normally be refused until at least three years after the most recent conviction, caution, reprimand or final warning.

After careful consideration the Members decided to grant the licence.

RESOLVED – That the application for a Private Hire Driver Licence be granted.

(2) Ref. No. 15/15 – Pursuant to Minute LGS12(2)/Sep/15 to give further consideration to a review of a Private Hire Driver Licence in respect of a conviction of no insurance that had not been reported to the Council for four years and whose DVLA Licence had been revoked for four years.

At the meeting Members were advised that the driver had notified the Licensing Section in writing that he no longer required a Private Hire Driver Licence and would not be driving taxis in the future.

In reaching their decision Members, Members took into consideration the Council's Licensing Policy in relation to when existing holders of licences receive criminal convictions, cautions, reprimands or warnings or receive complaints which result in disciplinary action and that existing holders of licences may expect the Council to consider revoking their Licence; and the Council's policy in respect of motoring offences stating that there should be at least three years free after the most recent conviction, caution, reprimand or final warning.

After careful consideration, Members agreed that the driver could no longer satisfy them that he was a fit and proper person to hold this driving licence as his driving licence had been revoked in 2011 following a guilty plea to an offence of no insurance and had failed to send his driving licence to DVLA to have it endorsed with this offence; he had continued to drive for four years without a valid DVLA licence; had failed to report the offence of no insurance to the Council, as required by condition on your private hire driver licence; had made four separate applications to renew his private hire driver licence after the conviction of no insurance and on each occasion had made a false declaration by omitting to declare the offence; and had produced an invalid DVLA licence on each occasion.

RESOLVED – That the Licence be revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976.

(NOTE – Councillor Mrs Jones left the meeting and was not present for consideration of Item LGS16(2) above)