

## **NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL**

**30th July, 2013**

1. **Present:** Councillors C Wraith (Chairman), Saunders & T Sheard together with Councillor Dures (Reserve Member).

Members of the Public and Press were excluded from both meetings

2. **Declarations of Pecuniary and Non-Pecuniary Interest**

Councillor J Carr declared a non-pecuniary interest in item 5(a), the determination of the Hackney Carriage and Private Hire Driver's Licence renewal application by Mr C W, on the grounds that he was acquainted with the applicant.

3. **Driver Licences**

The Panel considered reports requesting Members to consider the following:

- (a) the determination of the Hackney Carriage and Private Hire Driver's Licence renewal application by Mr P M.

The driver was in attendance and was supported by Mr D W (Licensing Consultant) who addressed the Panel in support of his case.

After considering all the evidence presented together with the representations made, the application for the renewal of the Hackney Carriage and Private Hire Driver's Licences was refused on the grounds that he was no longer considered to be a fit and proper person to hold such licences for the following reasons:

- the Panel, being entitled to take account of all information presented, took account of an alleged offence which occurred in July albeit it was accepted that the Police had not currently taken any action in this respect
- the driver, at his own volition, admitted that in relation to the above offence, he had been speeding
- there was sufficient evidence over a number of years to demonstrate that the driver drove at excessive speeds and public safety was a paramount consideration
- the driver admitted to a further three speeding offences/convictions

The decision of the Panel was unanimous.

- (b) the determination of the Hackney Carriage and Private hire Driver's Licences held by Mr G B.

The Driver was in attendance and was supported by Mr D W (Licensing Consultant) who addressed the Panel in support of his case.

After considering all the evidence presented, together with the representations made, in view of the exceptional circumstances presented, the driver was allowed to retain his licences subject to:

- the driver satisfactorily completing the DSA Driving Test (at his own expense) within three months of the date of the hearing. (Failure to complete the tests within the prescribed three months may result in the automatic revocation of the licences); and
- the issuing of a written warning as to his future conduct.

The decision of the Panel was unanimous.

(c) the determination of the Private Hire Driver's Licence renewal application by Mr M F.

The driver was in attendance and was supported by Mr D W (Licensing Consultant) who addressed the Panel in support of his case.

After considering all the evidence presented together with the representations made, in view of the exceptional circumstances presented, the renewal application be approved and he be also issued with a Hackney Carriage Driver's Licence in accordance with the Council's current policy of issuing dual licences on the grounds that he is considered to be a fit and proper person to hold such licences.

The decision of the Panel was unanimous

(d) The determination of the Hackney Carriage and Private Hire Driver's Licence renewal application by Mr C W.

The consideration of this renewal application was deferred at the request of the driver due to personal reasons.

### **3rd September, 2013**

4. **Present:** Councillors C Wraith (Chairman), J Carr and Dures together with Councillor Sixsmith (Reserve Member).

#### **5 Driver Licences**

The Panel considered reports requesting Members to consider the following:

- (a) the determination of the Hackney Carriage and Private Hire Driver's Licence renewal application by Mr C W, consideration of which had been deferred from the previous meeting.

The driver was in attendance and addressed the Panel in support of his case.

After considering all the evidence presented together with the representations made, the application for the renewal of the Hackney Carriage and Private Hire Driver's Licences was refused on the grounds that he was no longer considered to be a fit and proper person to hold such licences for the following reasons:

- the accumulation of 12 penalty points on his DVLA Licence; and
- a false declaration made on his renewal application

The decision of the Panel was not unanimous.

(b) the determination of the Private Hire Driver's Licence renewal application by Mr R S.

The driver was in attendance and addressed the Panel in support of his case. He also submitted two reference letters of support from representatives from two local companies who used his services.

After considering all the evidence presented together with the representations made, in view of the exceptional circumstances presented, the renewal application be approved and he be also issued with a Hackney Carriage Driver's Licence in accordance with the Council's current policy of issuing dual licences subject to the driver satisfactorily completing the DSA Driving Test (at his own expense) within three months of the date of the hearing. (Failure to complete the tests within the prescribed three months may result in the automatic revocation of the licences).

The decision of the Panel was unanimous.

(c) the determination of the Hackney Carriage and Private Hire Driver's Licences held by Mr S S.

The driver was in attendance and was supported by Mr S F (his solicitor) and Mr S S (his father) who addressed the Panel in support of his case.

After considering all the evidence presented together with the representations made, in view of the exceptional circumstances presented, Mr S S be allowed to retain his Hackney Carriage and Private Hire Driver's Licences and no further action be taken as the Panel deem him to be a fit and proper person to hold such licences.

The decision of the Panel was unanimous.

Chairman.....