

NOTES OF GENERAL LICENSING REGULATORY BOARD PANELS

7th October, 2014

1. **Present:** Councillors C Wraith (Chairman), S Green, Johnson together with Councillor Worton (Reserve Member).

Members of the Public and Press were excluded from both meetings.

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

There were no declarations of pecuniary or non-pecuniary interest from Members in respect of items on the agenda.

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 of Mr M F T

The driver was in attendance with his solicitor.

The panel agreed that the consideration of this matter be adjourned to the meeting on Tuesday 4th November, 2014, where an interpreter would be provided.

The decision of the panel was unanimous.

- (b) An application for a Hackney Carriage and Private Hire Driver Licence by Mr W H

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, in view of the mitigating and exceptional circumstances presented, the panel agreed that the applicant be granted a Hackney Carriage and Private Hire Driver's Licence with effect from 7th October, 2014, subject to a review in six months time.

The decision of the Panel was unanimous

- (c) An application for a Private Hire Driver Licence by Mr J A M M

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

After considering all the information presented, together with the representations made, in view of the mitigating and exceptional circumstances presented, the panel agreed that the applicant be granted a Hackney Carriage and Private Hire Driver's Licence with effect from 7th October, 2014, subject to review in six months time.

The decision of the Panel was unanimous.

4th November, 2014

4. **Present:** Councillors C Wraith (Chairman), S Green, Johnson together with Councillor Worton (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 of Mr M F T

The driver was in attendance with his solicitor who addressed the Panel in support of his case. Also in attendance was an Interpreter.

After considering all the evidence presented, together with the representations made, the licence was revoked as the driver was not considered to be a fit and proper person to hold such a licence on the following grounds:

- The receipt of three written warnings in less than three months and within the first twelve months of becoming a licenced driver
- The number, type and frequency of warnings issued coupled with the failure to follow basic instructions, produce a daily inspection sheet and the receipt of a complaint about his conduct

all of which raised concerns as to his suitability to hold such a licence

- Despite his claim to the contrary, the Panel believed that the driver had received all three written warnings and the daily check book
- The failure to provide any exceptional circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions

The decision of the Panel was unanimous.

- (b) the determination of the Hackney carriage and Private Hire Driver's Licence of Mr A Q

The driver was in attendance and was represented by Mr D W (Licensing Consultant) who addressed the Panel in support of his case. Also in attendance was Mr J M (the driver's current employer)

It was noted that a complaint about the driver's conduct had also been received and the complainant attended the meeting to make oral representations to the Panel.

After considering all the evidence presented, together with the representations made, the licence was revoked as the driver was not considered to be a fit and proper person to hold such a licence on the following grounds:

- The number, type and frequency of the convictions, the issuing of a verbal caution in addition to three additional written warnings and the issuing of a Fixed Penalty Notice which raised serious concerns as to his suitability to hold such a licence
- The fact that the potential medical condition of the driver remained undiagnosed
- The failure to provide any exceptional circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions

The decision of the Panel was unanimous

13th November, 2014

6. **Present:** Councillors Wilson (Chairman), Ennis and Worton together with Councillor J Carr (Reserve Member).

7. **Driver Licences**

The Panel considered a report requesting Members to consider the following:

- (a) The determination of the Hackney Carriage and Private Hire Driver's Licence of Mr R W T

The driver was in attendance and was represented by Mr D W (Licensing Consultant) who addressed the Panel in support of his case. The driver also submitted four letters as character references which he asked the Panel to consider in determining his licence

After considering all the evidence presented, together with the representations made, the licence was revoked as the driver

was not considered to be a fit and proper person to hold such a licence on the following grounds:

- The accumulation of three separate written warnings within a ten month period
- The number, type and frequency of those written warnings
- The failure to comply with Licensing Conditions despite the issuing of warnings including verbal warnings
- The issuing of a written warning in 2011 for failing to declare a conditional caution issued by South Yorkshire Police for destroying/damaging property

all of which raised serious concerns as to his suitability to hold such a licence

- The failure to provide exceptional circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions

The decision of the Panel was not unanimous