

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

29th November, 2016

- 1 Present:** Councillors C Wraith MBE (Chair), Richardson and Shepherd together with Councillor Cave (Reserve Member)

Members of the Public and Press were excluded from the meeting.

2 Declarations of Interests

There were no declarations of pecuniary or non-pecuniary interest.

3 Hackney Carriage and Private Hire Driver's Licence – Application – Mr S R

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application by Mr S R for the grant of a Hackney Carriage and Private Hire Driver's Licence.

The applicant was in attendance together with his representative Mr G B (Licensing Consultant) who gave evidence in support of his case.

After considering all the evidence presented together with the representations made the Panel determined that there was sufficient justification to warrant a departure from the Council's Guideline Policy for Criminal Convictions and the licence was granted subject to review in 6 months on the following grounds:

- The manner in which the applicant presented himself and the demonstration of greater maturity since the previous offences were committed
- The character references provided in support of the application
- The time that had elapsed since the last offence
- The demonstration that he was a fit and proper person to hold such a licence

The decision of the Panel was unanimous.

4 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr M C

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr M C.

The driver was in attendance together with Mr G B (Licensing Consultant) who gave evidence in support of his case.

After considering all the evidence presented together with the representations made the Panel took the view that given the serious nature of the cumulative offences committed a sanction was required to be imposed and, therefore, it was determined that Mr M C be allowed to retain his Hackney Carriage and Private Hire Driver's Licence but that it be suspended for a period of three months.

The decision of the Panel was unanimous.

10th January, 2017

- 5 Present:** Councillors C Wraith MBE (Chair), Shepherd and Wilson together with Councillor Hampson (Reserve Member)

Members of the Public and Press were excluded from the meeting.

6 Declarations of Interests

There were no declarations of pecuniary or non-pecuniary interest.

7 Hackney Carriage and Private Hire Driver's Licence – Application – Mr I S

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr I S.

The applicant was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that in view of all that evidence and, taking account of the manner in which he presented himself, the applicant was a fit and proper person to hold such a licence and that the application be granted on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions in relation to migrant workers
- Whilst resident in his country of origin he had confirmed that he had no criminal convictions recorded against him
- He had lived in the UK for 9 years, had held a job and had undertaken courses of study
- The Enhanced DBS check had come back clear
- The Panel was comforted at:
 - The applicants good command of the English language
 - His apparent knowledge of the area which was reflected by the fact that he had passed the theory test the first time

The decision of the Panel was unanimous.

8 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr M B

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr M B.

The driver was in attendance together with Mr D W (Licensing Consultant) who gave evidence in support of his case.

In considering all the evidence and extenuating circumstances presented the Panel noted the driver's admission that he was responsible for the three incidents referred to as well as the fact that he had shown genuine remorse and regret that the incidents had taken place. However, in view of the seriousness of the offences the Panel took the view that a sanction was required to be imposed and, therefore, determined that Mr M B be allowed to retain his Hackney Carriage and Private Hire Driver's Licence but that:

- It be suspended for a period of 6 weeks
- He be issued with a Final Written Warning, to be kept on file as to his future conduct

The decision of the Panel was unanimous.