

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

**30<sup>th</sup> May, 2017**

**Present:** Councillors C Wraith MBE (Chair), Frost and Shepherd together with Councillor Richardson (Reserve Member). Councillor Richardson left the meeting during the consideration of each case as the applicants/drivers concerned expressed no objection to any of the Panel sitting and determining their respective cases.

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

### **1 Declarations of Interests**

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

### **2 Hackney Carriage and Private Hire Driver's Licence – Application – Mr C B**

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 C B.

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 the 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 approximately 15 years, had held various positions of employment and had undertaken courses of study at Sheffield Hallam University, namely a post graduate degree and courses in translation
- The Enhanced DBS check had come back clear and had been since he came into the UK
- The Panel was comforted at the applicant's good command of the English language

The decision of the Panel was unanimous.

### **3 Hackney Carriage and Private Hire Driver's Licence – Application – Mr A R M**

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 A R M.

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 the 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 whilst he had received a warning, he had no criminal convictions recorded against him
- He had lived in the UK for approximately 13 years, had held various positions of employment and had undertaken courses of study in English
- His Enhanced DBS check had come back clear and had been since he came into the UK

The decision of the Panel was unanimous.

#### **4 Hackney Carriage and Private Hire Driver's Licence – Application – Mr B R**

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 B R.

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 the 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 until the 10<sup>th</sup> June, 2019 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 approximately 3 years, had held a position of employment and had undertaken English courses and also indicated a willingness to undertake further studies
- His Enhanced DBS check had come back clear and had been since he came into the UK

The decision of the Panel was unanimous.

#### **5 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr D N**

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 D N.

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

After considering all the information and representations made the Panel decided that in view of the evidence, including the driver's inappropriate behaviour and incidents, the licence be revoked.

The decision of the Panel was unanimous.

**20<sup>th</sup> June, 2017**

**Present:** Councillors C Wraith MBE (Chair), M Dyson and W Johnson together with Councillor Clarke (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 N Z**

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 N Z.

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 the 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 became a naturalised citizen in 2016, had lived in the UK for a number of years, lived in Barnsley for approximately 7 years, had held various positions of employment and had undertaken courses of study at Barnsley College
- The Enhanced DBS check had come back clear and had been since he came into the UK

The decision of the Panel was unanimous.

## **8 Hackney Carriage and Private Hire Driver's Licence – Application – Mr G D**

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 G D.

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 the 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
- He had shown genuine remorse for his actions that led to the convictions recorded against him
- The time that had elapsed since the last conviction
- The way in which he presented himself and his own submission about serving the community
- The excellent references received from various individuals including a Police Officer and a Councillor

The decision of the Panel was unanimous.

## **9 Hackney Carriage and Private Hire Driver's Licence – Application - Mr S H**

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 S H.

The applicant was in attendance together with Ms M (Partner) and Mr D W (Licensing Consultant) who 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, but in view of the circumstances that occurred and the offences listed on his DBS (including the Children's Barred List element) this be subject to:

- Review after 6 months from the date on which the applicant commences driving a Hackney Carriage and/or Private Hire Vehicle; and
- The issuing of a Written Warning, which will be kept on file for a period of 12 months, as to his future conduct

and on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions
- He had shown genuine remorse for his actions that led to the convictions
- The 18 years he had been free from conviction
- Whilst the report raised concerns, the way in which he presented himself at the hearing showed that he was a different person, he had matured, grown up and had changed his attitude
- The excellent references received from various individuals

The decision of the Panel was unanimous.