

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

21st July, 2015

1. **Present:** Councillors C Wraith MBE (Chair), Ennis and Shepherd together with Councillor Clarke (Reserve Member) (Councillor Clarke left the meeting following the commencement of item 3(c)).

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

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

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

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 held by Mr R E

The driver was in attendance and was supported by Mr D W (Licensing Consultant) together with Mr N D (Hackney Carriage Proprietors Association) who gave evidence in support of his case. Mr R E also submitted documentation and two references which he asked the Panel to consider in determining his licence.

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating and mitigating circumstances presented, there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and that Mr R E be allowed to retain his licence subject to

- The driver being required to undertake the 'relevant' tests at his own expense
- The driver being required by Licensing Officers to undertake random tests at his own expense

(the results of both these tests to be required to be forwarded to the Local Authority Licensing Service within five days of the receipt of the results)

- The driver being informed that the failure to undertake and pass any of these tests may lead to the immediate revocation of his licence
- A review of the licence in six months time

The decision of the Panel was unanimous.

(b) The determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr A S

The driver was in attendance and was supported by Mr R (Private Hire Association) who gave evidence in support of his case.

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating and mitigating circumstances presented, there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and that Mr A S be allowed to retain his licence subject to

- The driver undertaking (at his own expense) and passing the appropriate DSA Driving Test within a three month period (the failure to pass the DSA test within the specified time may result in the revocation of the licence)
- The issuing of a Written Warning which will be kept on file as to his future conduct

The decision of the Panel was unanimous

(c) the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr N B

The driver was in attendance and was supported by Mr D W (Licensing Consultant) together with Mr N D (Hackney Carriage Proprietors Association) who gave evidence in support of his case. Mr N B also submitted documentation which he asked the Panel to consider in determining his licence.

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating and mitigating circumstances presented, including the receipt of a letter from an external assessment organisation, there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and that Mr N B be allowed to retain his licence subject to

- The issuing of a Final Written Warning in relation to the motoring offences and for the failure to comply with Licensing Conditions (this Warning to be kept on file as to his future conduct)
- The driver being required to undertake the 'relevant' tests at his own expense
- The driver being required by Licensing Officers to undertake random tests at his own expense

(the results of both these tests to be required to be forwarded to the Local Authority Licensing Service within five days of the receipt of the results)

- The driver being informed that the failure to undertake and pass any of these tests may lead to the immediate revocation of his licence
- A review of the licence in six months time

The decision of the Panel was unanimous.