

NOTES OF GENERAL LICENSING REGULATORY BOARD PANELS

6th October, 2015

1. **Present:** Councillors C Wraith MBE (Chair), Clarke and Worton together with Councillor Tattersall (Reserve Member)

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) An application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr S J

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

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating and mitigating circumstances presented and in view of the manner in which he presented himself there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions. The application was, therefore, approved and he was granted a Hackney Carriage and Private Hire Driver's Licence with immediate effect.

The decision of the Panel was unanimous.

- (b) An application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr C B

The applicant was in attendance gave evidence in support of his application.

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating and mitigating circumstances presented and in view of the manner in which he presented himself there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions. The application was, therefore, approved and he was granted a Hackney Carriage and Private Hire Driver's Licence with immediate effect but subject to review in six months time.

The decision of the Panel was unanimous

- (c) An application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr M F R.

Consideration of this item was deferred to the next meeting at the request of the applicant.

- (d) An application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr T I.

This item was withdrawn.

3rd November, 2015

1. **Present:** Councillors C Wraith MBE (Chair), Clarke and Worton together with Councillor Tattersall (Reserve Member)

- (a) An application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr M F R (this application had been deferred from the meeting held on the 6th October, 2015 at the applicant's request)

The applicant was in attendance together with Mr B who made representations in support of his application. He also submitted documentation in support of his case, a contract from his current employer and a letter of reference from his local Councillor.

After considering all the evidence presented together with the representations made the Panel determined that Mr M F R was not considered to be a fit and proper person to hold such a licence due

- to the number, type and frequency of violent offences committed and a conviction for intimidating a witness which raised serious concerns about his suitability to hold such a licence
- the insufficient time which has elapsed since the last conviction given the catalogue of convictions recorded over a six year period
- the failure to provide sufficient extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions

The decision of the Panel was unanimous.

- (b) An application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr P W

The applicant was in attendance together with Mr D W (Licensing Consultant) who gave evidence in support of his application. The applicant also submitted a letter of reference from his current employer.

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. The application was, therefore, approved and he was granted a Hackney Carriage and Private Hire Driver's Licence with immediate effect but subject to the following:

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

The decision of the Panel was unanimous.

(c) An application to renew the Hackney Carriage and Private hire Driver's Licence by Mr W B.

The driver was in attendance together with the Chair and Vice Chair of the Barnsley Private Hire Proprietors Association who made representations 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 deviation from the Council's Guideline Policy for Criminal Convictions. The application for the renewal of the Hackney Carriage and Private Hire Driver's Licence was, therefore, renewed with immediate effect but subject to the following:

- The 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 [period may result in the revocation of the licence); and
- The issuing of a Written Warning which will be kept on file as to his future conduct.

The decision of the Panel was unanimous.