

NOTES OF GENERAL LICENSING REGULATORY BOARD PANELS

9th February, 2016

1. **Present:** Councillors C Wraith MBE (Chair), J Carr and Richardson
Members of the Public and Press were excluded from the meeting.

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 Ms D B

The driver was in attendance and gave evidence in support of her case.

After considering all the evidence presented together with the representations made the Panel determined that Ms D B had presented no extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and her licence was revoked on the following grounds:

- The accumulation of three Written Warnings for the contravention of Licensing Conditions within a 2 month period (the Council's Guideline Policy for Criminal Convictions states that three or more Written Warnings within a 12 month period will require a driver to be referred to a Licensing Regulatory Board)
- The issuing of Fixed Penalty Notice which has remained unpaid despite being given ample opportunity to do so
- The issuing of a Verbal Advisory Notice in relation to the condition of the vehicle windscreen
- The admission to the offences and breaches of Licensing Conditions for which she had been given Written Warnings for
 - Smoking a cigarette in a licensed vehicle
 - Falsifying the daily check sheet
 - Failing to inform the Licensing Service in writing of a change of address
- The presentation by the Licensing Service of sufficient evidence to show she was not considered to be a fit and proper person to hold such a licence

The decision of the Panel was unanimous.

- (b) The determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr C J W

The applicant was in attendance and made representations in support of his case. He was accompanied by Mr T W.

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating circumstances presented there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions. However, in view of the severity of the offence and the need to ensure the protection of the public:

- The driver was issued with a Final Written Warning which will be kept on file as to his future conduct; and
- The Hackney Carriage and Private Hire Driver's Licence was suspended for a period of three months (to be reinstated on Thursday 12th May, 2016)

The decision of the Panel was unanimous

- (c) The determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr R T which was currently suspended following his conviction at Magistrates Court for exceeding the statutory speed limit on a public road and the subsequent disqualification from driving for a period of 28 days.

The applicant was in attendance and was supported by Mr M who made representations in support of his case.

After considering all the evidence presented together with the representations made the Panel determined that the licence remain suspended until Monday 7th March, 2016 on the following grounds:

- There were no extenuating circumstances presented to warrant a deviation from the Council's Guideline Policy for Criminal Convictions which states that where a driver has been disqualified from driving, the period since the restoration of their licence is at least twice the period of disqualification
- The admission of the speeding offence of driving a motorcycle at 91mph in a 60mph area
- Comments made during the submission of his evidence

The decision of the Panel was unanimous