

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

5th April, 2016

- 1 Present:** Councillors Worton (Chair), Clarke and Johnson together with Councillor Millner (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.

5 Hackney Carriage and Private Hire Driver's Licence - Appeal against immediate revocation - Mr A B

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting Members to consider an appeal against the immediate revocation of the Hackney Carriage and Private Hire Driver's Licence held by Mr AB.

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

After considering all the evidence presented together with the representations made the Panel determined that the revocation of the Hackney Carriage and Private Hire Driver's Licence be upheld as Mr A B had presented no extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and on the following grounds:

- The circumstances in which the driver met the complainant as a fare paying passenger which brought into question his motives when picking up such passengers, particularly those who may have consumed alcohol and are, therefore, potentially vulnerable
- His admission that he had inappropriate contact with the passenger concerned
- The fact that despite no charges being brought, the inappropriate conduct and behaviour surrounding the incident involving a vulnerable passenger posed significant concerns and questioned his suitability to hold a Hackney Carriage and Private Hire Driver's Licence
- The revocation, by the Commissioner, of his Rotherham Hackney Carriage and Private Hire Driver's Licence following investigation and recommendation by Councillors, a decision that did not come to the attention of the Barnsley Licensing Service until informed by officers from the Rotherham Metropolitan Borough Council Licensing Service
- The previous convictions recorded against him and the issuing of two Written Warnings in just over one month and within a 12 month period
- The presentation by the Licensing Service of sufficient evidence to show that the driver was not considered to be a fit and proper person to hold such a licence

The decision of the Panel was unanimous.