

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

**3 October 2023**

**Present:** Councillors Green (Chair), Tattersall and Hunt together with Councillor Bellamy (Reserve Member)

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

### **1. Hackney Carriage and Private Hire Driver's Licence – Determination – Mr S R**

The Panel was asked to determine a Hackney Carriage and Private Hire Driver's Licence for Mr S R.

Mr S R was in attendance at the meeting together with his representative. After considering all the evidence presented and taking account of the manner in which Mr S R had presented himself, together with the information provided and the representations made, the Panel determined that the Hackney Carriage and Private Hire Driver's Licence be revoked on the following grounds:-

- Between 19 February 2022 and 26 June 2023 Mr S R had incurred 9 penalty points together with a £100 fine for speeding offences.
- On 24 February 2023 Mr S R had been issued with a written warning for failing to complete the daily checks of his licensed vehicle as required under condition 1.38 of his driver condition.
- Following an instance of dangerous driving on 11 March 2023 involving Mr S R's private hire vehicle where the windscreen had been obscured by a large amount of snow, Mr S R had appeared at Court on 26 September 2023 and the matter had been adjourned for one month.
- On 9 April 2023 Mr S R had been caught speeding by West Yorkshire Police. Initially Mr S R had nominated an individual as the driver of the vehicle on that date, however he had later admitted to the speeding offence. As he had previously attended a speed awareness course, he had been offered a conditional offer of a fixed penalty.

The Panel noted that Mr S R had shown remorse and they had taken into account the character references in support of his case. However, they considered that these did not carry sufficient weight in light of the above convictions and concerns presented to convince them that Mr S R was a fit and proper person to hold a Hackney Carriage and Private Hire Driver's Licence.

The decision of the Panel was unanimous.

## **7 November 2023**

**Present:** Councillors Green (Chair), Wilson and Markham together with Councillor Sheard (Reserve Member)

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

### **1. Hackney Carriage and Private Hire Driver's Licence – Application – Mr J I**

The Panel was asked to consider an application for a Hackney Carriage and Private Hire Driver's Licence by Mr J I.

Mr J I was in attendance at the meeting. After considering all the evidence presented and taking account of the manner in which Mr J I had presented himself, the Panel determined that the application for a Hackney Carriage and Private Hire Driver's Licence be granted on the following grounds:-

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy in relation to Criminal Convictions at Section 3.24 and Mr J I's failure to provide evidence of a criminal record check required from the country/countries covering the period 2002 and 2006.
- Mr J I had confirmed that he had no criminal convictions recorded against him between 2002 and 2006.
- Mr J I has the right to both live and work in the UK.

The decision of the Panel was unanimous.

### **2. Hackney Carriage and Private Hire Driver's Licence – Application – Mr S W**

The Panel was asked to consider an application for a Hackney Carriage and Private Hire Driver's Licence by Mr S W.

Mr S W was in attendance at the meeting. After considering all the evidence presented and taking account of the manner in which Mr S W had presented himself, the Panel determined that the application for a Hackney Carriage and Private Hire Driver's Licence be refused on the following grounds:-

- The Panel had concerns in relation to Mr S W's credibility and reliability during his submissions made during the meeting. In particular, the Panel took into account the fact that Mr S W had again failed to declare relevant previous convictions that related to both taxi offences and other crimes of dishonesty being the taxi convictions from 2009 and the crimes of dishonesty which had taken place between 1988 and 2003. The Panel took into account Mr S W's explanation that these related to offences which he could not remember. However, the Panel did not consider Mr S W's position to be credible as he managed to disclose offences from 2009 which related to driving his vehicle without insurance (totting up offences).

- The Panel took into account Mr S W's personal circumstances and noted that he operated three public houses, whereby his duties involved paperwork and administrative tasks. The Panel accordingly felt that Mr S W's failure to disclose previous convictions in his current application paperwork was due to a lack of appropriate due care and attention and an attempt to conceal relevant previous convictions. Thus bringing into question his reliability and honesty.
- The Panel also noted during Mr S W's submissions that he had not given any consideration to the Council's policy guidance (in particular at Appendix J) that is available online, which they felt was a disregard for and a lacklustre approach to the application process.
- Therefore, the Panel felt that Mr S W had not demonstrated any exceptional circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions.

The decision of the Panel was unanimous.