

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

**4<sup>th</sup> October, 2016**

- 1 Present:** Councillors C Wraith MBE (Chair), Hampson and Wilson together with Councillor Markham (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.

**3 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr P D**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting Members to determine the Hackney Carriage and Private Hire Driver's Licence held by Mr P D.

The driver was in attendance together with his representative Mr G B (Licensing Consultant) who gave evidence in support of his case.

The Panel was reminded that the hearing had originally been scheduled to be held on the 30<sup>th</sup> August, 2016 but had been postponed to enable the driver to obtain medical evidence in support of his case. The Panel was then asked for a further adjournment as the driver had still not been able to obtain that evidence. That request was turned down on the grounds that Mr P D had been given sufficient time to obtain that evidence and also because of the need to ensure the safety of the travelling public.

After considering all the evidence presented together with the representations made the Panel determined that the licence be revoked as there were no extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and the Licensing Service had presented 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.

**4 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr Z A**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting Members to determine the Hackney Carriage and Private Hire Driver's Licence held by Mr Z A.

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 licence be revoked as there were no extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal

Convictions and the Licensing Service had presented 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.

**5 Hackney Carriage and Private Hire Driver's Licence – Renewal Application Mr G J D**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting Members to consider the renewal of the Hackney Carriage and Private Hire Driver's Licence held by Mr G J D.

The driver was not in attendance and submitted no documentary evidence in support of his case.

After considering all the evidence presented, as the Panel was unable to ascertain the background to the issues reported due to the driver's non-attendance and his failure to submit documentary evidence in support of his case, it could not be satisfied that there were any extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and the licence was, therefore, not renewed. In addition, the Licensing Service had presented 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.

**1<sup>st</sup> November, 2016**

**6 Present:** Councillors C Wraith MBE (Chair), Clarke and S Green together with Councillor Shepherd (Reserve Member)

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

**7 Declarations of Interests**

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

**8 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr J S**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting Members to determine the Hackney Carriage and Private Hire Driver's Licence held by Mr J S.

The driver was in attendance together with his representative Mr S S (Chair of the 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 mitigating and extenuating circumstances presented, including the fact that some of the offences had occurred a number of years ago;
- the manner in which he presented himself (which indicated that he was a changed man);
- the assurances given that he would abide by all the Licensing Conditions and the assurance from Mr S S that he would take personal responsibility for Mr J S's employment, ongoing training and mentoring

there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and the Licence was granted subject to a review in six months' time.

The decision of the Panel was unanimous.