

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

16th July, 2019

Present: Councillors C Wraith MBE (Chair), P Birkinshaw and W Johnson together with Councillor Gillis (Reserve Member).

Members of the Public and Press were excluded from all meetings.

1 Declarations of Interests

There were no declarations of pecuniary or non-pecuniary interest from Members in respect of items on the agenda.

2 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr G B

The Panel considered a report of the Service Director Legal Services requesting the Panel to determine the Hackney Carriage and Private Hire Driver's Licence held by Mr G B.

Mr G B was in attendance together with Mr D W (Licensing Consultant) who gave evidence in support of his case. They also submitted additional information, references and letters of support.

After considering all the information and representations made the Panel decided that the Hackney Carriage and Private Hire Driver's Licence held by Mr G B be revoked on the following grounds:

- The safeguarding concerns now raised
- His appearance before the General Licensing Regulatory Board Panel on four separate occasions
- The fact that he was under the sanction of a Final Written Warning and also the fact that he had received two Final Written Warnings
- His criminal record which raised safeguarding concerns
- His propensity towards speeding offences
- His failure to comply with Licensing Conditions on a number of occasions
- The fact that he fell short of the Council's Guideline Policy for Criminal Convictions and the Licensing Service had produced sufficient evidence to show that he was not a fit and proper person to hold such a licence

The decision of the Panel was unanimous.

3 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr A E A

The Panel considered a report of the Service Director Legal Services requesting the Panel to determine the Hackney Carriage and Private Hire Driver's Licence held by Mr A E A.

Mr A E A was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and that Mr A E A be allowed to retain his licence on the following grounds:

- The manner in which he presented himself
- The genuine remorse shown at the offences committed
- The assurances given that these offences would not occur again
- The production of sufficient extenuating evidence to convince the Panel that he was a fit and proper person to hold such a licence

and subject to:

- him being required to undertake and pass a Council Approved Driver Awareness Course within three months at his own expense
- the issuing of a Written Warning as to his future conduct

The decision of the Panel was unanimous.

27th August, 2019

Present: Councillors C Wraith MBE (Chair), Gillis and Wilson together with Councillor Clarke (Reserve Member).

4 Hackney Carriage and Private Hire Driver's Licence – Application – Mr M T

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr M T.

Mr M T was in attendance and gave evidence in support of his case.

After considering all the evidence presented and taking account of the manner in which he presented himself the application for a Hackney Carriage and Private Hire Driver's Licence was granted until the 9th March, 2021 on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy in relation to migrant workers
- He entered the UK as an asylum seeker on the 6th October, 2015 at the age of 26
- He became a naturalised citizen in 2016 and, as such, had the right to live and work in the UK until the 9th March, 2021
- His excellent command of the English language
- His employment history whilst in the UK
- Whilst resident in his country of origin he confirmed that he had no criminal convictions recorded against him
- The enhanced DBS check completed was clear and had been since he came into the UK

The decision of the Panel was unanimous.

5 Hackney Carriage and Private Hire Driver's Licence – Application – Mr A M

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr A M.

Mr A M was in attendance together with Mrs M (his mother) and gave evidence in support of his case.

After considering all the evidence presented and taking account of the manner in which he presented himself the application for a Hackney Carriage and Private Hire Driver's Licence was granted on the following grounds:

- The manner in which he presented himself
- The genuine remorse and apologetic nature shown for completing the application form dishonestly
- The fact that he had held a taxi licence since 22nd August, 2018 with another Authority and there was no evidence to suggest that there were any concerns regarding his behaviour, driving or any record of complaints received
- The explanation given for the anonymous letter received and the fact that there was no ongoing investigation by West Yorkshire Police into unsubstantiated allegations made against him
- The character references provided
- The fact that there was sufficient extenuating evidence to convince the Panel that he was a fit and proper person to hold such a licence

The decision of the Panel was not unanimous.