

NOTES OF GENERAL LICENSING REGULATORY BOARD PANELS

4th April 2023

Present: Councillors Green (Chair), Osborne and Shepherd

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

1. Hackney Carriage and Private Hire Driver's Licence - Application - Mr A D

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

Mr A D was in attendance at the meeting. After considering all the information and representations made, the Panel determined that the application for a Hackney Carriage and Private Hire Driver's Licence be granted on the following grounds:-

- The manner in which he presented himself.
- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions in relation to Migrant Workers.
- Mr A D had entered the country as an asylum seeker and became a naturalised citizen in 2012, and therefore, has the right to both live and work in the UK.
- Whilst a resident in his country of origin, Mr A D confirmed that he had no criminal convictions recorded against him.
- The Enhanced DBS check had come back clear and had been clear since he had resided in the UK.
- Mr A D has an excellent command of the English language.

The decision of the Panel was unanimous.

2nd May 2023

Present: Councillors Green (Chair), Stowe and Markham together with Councillor White (Reserve Member)

1. Hackney Carriage and Private Hire Driver's Licence - Application – Mr D F

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

Mr D F was in attendance at the meeting. After considering all the evidence presented together with the information provided, 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 for Criminal Convictions in relation to Migrant Workers.
- Mr D F had entered the country as an asylum seeker in 2006 and he has the right to both live and work in the UK.
- Whilst resident in his country of origin, Mr D F confirmed that he had no criminal convictions recorded against him.
- The results of the Enhanced DBS check had come back clear, and had remained clear since he had entered the UK.
- It was noted that he had a good command of the English language.

The decision of the Panel was unanimous.

2. Hackney Carriage and Private Hire Driver's Licence - Application – Mr H K

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

Mr H K was in attendance at the meeting. After considering all the evidence presented together with the information provided, 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 for Criminal Convictions in relation to Migrant Workers.
- Mr H K had entered the country as an asylum seeker in 2003 and he has the right to both live and work in the UK.
- Whilst resident in his country of origin, Mr H K confirmed that he had no criminal convictions recorded against him.
- A fully Enhanced DBS check had revealed that he had a conviction on 17 July 2012 for Battery which had occurred on 6 February 2012. However, after considering his representations and explanations presented regarding the circumstances of the offence, the Panel felt that

Mr H K was a fit and proper person to hold a Hackney Carriage and Private Hire Driver's Licence. The Panel accepted his explanation for having made an error by failing to declare the conviction when completing his application form.

- Section 4.31 of the Taxi Suitability Policy also states where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years had elapsed since the completion of any sentence imposed. However, the Panel considered that there was sufficient justification to deviate from the policy.
- Mr H K had a good command of the English language.

The decision of the Panel was unanimous.