



## **REGULATORY SUB COMMITTEE**

**2pm to 3.50pm**

**17 September 2012**

Present: Councillors Kendrick (chair), Stammers, Thomas and Wright

Apologies: Councillor Sands (M)

### **1. EXCLUSION OF PUBLIC**

**RESOLVED** to exclude the public from the meeting during consideration of items \*2 to \*5 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

#### **\*2. APPLICATION FOR APPLICATION FOR GRANT OF A 3 MONTH PRIVATE HIRE DRIVERS LICENCE: CASE NUMBER 12/00910/PHD3 (PARAGRAPHS 1 AND 3)**

(The licence holder did not attend the meeting for this item as he had not yet taken his driving standards agency assessment).

Following a discussion it was -

**RESOLVED** to defer the item for consideration at the next meeting and that the licensing manager be asked to write to the licence-holder informing him that the matter could be considered by members in his absence if he failed to attend the next meeting.

#### **\*3. APPLICATION FOR GRANT OF A 3 MONTH PRIVATE HIRE DRIVERS LICENCE: CASE NUMBER 12/01194/PHD3 (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee).

In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. The applicant explained the circumstances leading to his convictions he had received on 12 January 2007 and explained why he had not declared them on his application form.

(The applicant and the licensing manager left the meeting at this point).

During discussion members took account of the convictions shown and the failure to mention these on the application form and after considering the explanation given the subcommittee was not satisfied that the applicant was a fit and proper person to hold a driver's licence, and it was -

**RESOLVED** to refuse to grant a 3 month Private Hire driver's licence in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The solicitor informed the applicant that he would receive written notification of the committee's decision and that he had the right to appeal against the decision at the Magistrates' Court within twenty-one days of the date of this meeting.)

**\*4. APPLICATION FOR RENEWAL OF A PRIVATE HIRE DRIVERS LICENCE  
CASE NO 12/01200/PHDRIV (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee).

In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. The applicant explained the circumstances for his conviction on 3 March 2011 for exceeding the statutory speed limit on a public road. Members also noted that the applicant had previously appeared before the sub-committee on 18 October 2010 where three convictions for exceeding the speed limit had been taken into consideration.

(The applicant and the licensing manager left the meeting at this point).

Following a discussion it was -

**RESOLVED** to approve the renewal of the 3 month Private Hire driver's licence in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The chair advised that the committee had the power to revoke, suspend or refuse to renew the licence in the future if his conduct was not up to the standard expected of a licence holder).

**\*5. SUSPENSION/REVOCATION OF NORWICH CITY COUNCIL DRIVERS  
LICENCE: CASE NO 12/00126/HACKD (PARAGRAPHS 1 AND 3)**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced the ID card section of his DVLA licence for inspection by the committee, but had been unable to locate the paper section. The applicant agreed to present the paper section at City Hall, Norwich, for inspection within seven days).

In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. He explained the circumstances for his conviction on 28 February 2012 for exceeding the statutory speed limit on a public road. Members also noted that the applicant had appeared before the sub-committee on 20 February 2012 where his previous convictions on 16 May 2011 and 1 July 2011 were taken into account.

(The licence holder and the licensing manager left the meeting at this point).

Following a discussion it was -

**RESOLVED** to suspend the private hire driver's licence for a total of seven days.

(The licence holder and the licensing manager were admitted to the meeting and informed of the decision minuted above. The chair advised that the committee had the power to revoke, suspend or refuse to renew the licence in the future if his conduct was not up to the standard expected of a licence holder. The chair emphasised to the applicant of the need to observe speed limits).

CHAIR