



REGULATORY SUB COMMITTEE

2pm – 3.30pm

19 December 2011

Present: Councillors Driver (Chair), Banham, Kendrick and Jeraj

Apologies: N/a

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 THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE - CASE NO 16/31/3/754 (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).

The licensing manager presented the report and referred to paragraph 3 relating to the applicant's relevant 'spent' convictions. The applicant answered members' questions relating to the admission of the 'spent' convictions. 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 he had completed his application form.

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

Following a discussion it was -

RESOLVED unanimously to consider the 'older convictions.'

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above).

The applicant answered detailed questions about the circumstances of his older convictions. He then answered detailed questions about the circumstances of his conviction on 25 May 2007 for driving a motor vehicle with excess alcohol.

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

Following a discussion it was -

RESOLVED unanimously to grant the 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. The chair emphasised to the applicant of the need to read the green book).

***3. SUSPENSION / REVOCATION OF NORWICH CITY COUNCIL DRIVERS LICENCE - NO 11/01733/PHDRIV (PARAGRAPHS 1 AND 3)**

(The licence holder 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).

The licensing manager presented the report. In reply to a question the licence holder said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions.

The licence holder answered detailed questions about the circumstances of his convictions on 27 September 2011 for criminal damage, common assault and two counts of battery. He also explained why he had not notified the council within 7 days of the conviction.

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

Following a discussion it was proposed that the licence be suspended for a period of six months but on a vote this was not carried and therefore -

RESOLVED, with two members voting in favour (Councillors Banham and Driver), two members voting against (Councillors Jeraj and Kendrick) and the chair's casting vote in favour, to suspend the licence for a period of two months.

(The licence holder and the licensing manager were re-admitted to the meeting and informed of the decision minuted above. The Solicitor informed the licence holder 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. SUSPENSION / REVOCATION OF NORWICH CITY COUNCIL PRIVATE HIRE DRIVER'S LICENCE - CASE NO 11/00205/PHDRIV (PARAGRAPHS 1 AND 3)**

(The licence holder 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).

The licensing manager presented the report. 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.

The licence holder answered detailed questions about the circumstances of his convictions on 27 February 2010 for failing to comply with a traffic light signal; and on 21 April 2011 and 1 October 2011 for breach of requirements as to control of the vehicle, mobile phones etc.

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

Following a discussion it was -

RESOLVED unanimously to take no further action to suspend or revoke the licence.

(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).

***5. SUSPENSION / REVOCATION OF NORWICH CITY COUNCIL PRIVATE HIRE DRIVERS LICENCE NO 10/02370/PHDRIV (PARAGRAPHS 1 AND 3)**

(Councillor Banham declared a prejudicial interest in this item and left the meeting)

(The licence holder 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).

The licensing manager presented the report. 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.

The licence holder answered detailed questions about the circumstances of his convictions on 19 September 2011 for two offences of making false representation to make gain for self or another or cause loss to other/expose other to risk.

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

Following a discussion it was -

RESOLVED with two members voting in favour (Councillors Jeraj and Kendrick) and one member voting against (Councillor Driver) to suspend the licence for a period of three months.

(The licence holder and the licensing manager were re-admitted to the meeting and informed of the decision minuted above. The Solicitor informed the licence holder 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).

CHAIR