



REGULATORY SUB COMMITTEE

2pm – 3.35pm

20 February 2012

Present: Councillors Driver (chair), Haynes, Kendrick and Sands (S)

Apologies: N/a

1. DECLARATIONS OF INTEREST

Councillor Sands (S) declared a personal interest in item *5 below, application for the renewal of hackney carriage drivers licence no. 12/00117/hackd, because she had previously worked with the applicant in her capacity as ward councillor.

2. EXCLUSION OF PUBLIC

RESOLVED to exclude the public from the meeting during consideration of items *3 to *6 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

***3. APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE: CASE NO. 16/31/3/755 (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. 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. He then answered detailed questions about the circumstances of his convictions on 20 January 2010 for driving without due care and attention; for failing to stop after an accident; and for failing to give particulars or to report an accident within 24 hours. He answered detailed questions about the circumstances of his conviction on 1 May 2011 for exceeding the statutory speed limit on a public road. After confirming that he had no objection, the applicant also answered questions about the circumstances about a previous conviction, not included within the report, for exceeding the statutory speed limit on a public road.

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

Following a discussion it was -

RESOLVED, with three members voting in favour (Councillors Driver, Haynes and Sands (S)) and one member voting against (Councillor Kendrick), 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 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).

***4. APPLICATION FOR THE RENEWAL OF HACKNEY CARRIAGE DRIVERS LICENCE 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 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 since he had completed his application form. He then answered detailed questions about the circumstances of his convictions on 16 May 2011 for breach of requirements as to control of the vehicle, mobile telephones etc; and on 1 July 2011 for exceeding the statutory speed limit on a public road. He also explained the reasons why he had failed to notify the council of his convictions.

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

Following a discussion it was -

RESOLVED unanimously to renew the Hackney Carriage 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. APPLICATION FOR THE RENEWAL OF HACKNEY CARRIAGE DRIVERS LICENCE NO. 12/00117/HACKD (PARAGRAPHS 1 AND 3)**

(Councillor Sands (S) declared a personal interest in this item and subsequently withdrew from the meeting for this item).

(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. 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. He then answered detailed questions about the circumstances of his convictions on 12 July 2006, 21 December 2009 and 10 October 2010 for exceeding the statutory

speed limit on a public road. He also explained the reasons why he had failed to notify the council of his conviction.

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

Following a discussion it was -

RESOLVED unanimously to renew the Hackney Carriage 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).

***6. APPLICATION FOR THE RENEWAL OF PRIVATE HIRE DRIVERS
LICENCE NO. 11/00744/PHDRIV (PARAGRAPHS 1 AND 3)**

(Councillor Sands (S) rejoined the meeting at this point).

(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. 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. He then answered detailed questions about the circumstances of his convictions on 23 November 2009 and 1 February 2011 for exceeding the statutory speed limit on a public road; and 3 June 2011 for failing to comply with traffic light signals. He also explained the reasons why he had failed to notify the council of his convictions.

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

Following a discussion it was -

RESOLVED unanimously to:

- 1) renew the Private Hire driver's licence in respect of this application; and
- 2) suspend the licence for a period of seven days for failing to notify the council of his convictions.

(The applicant and the licensing manager were 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