



REGULATORY SUB COMMITTEE

2pm to 3.20pm

18 February 2013

Present: Councillors Kendrick (chair), Manning, Maxwell, Neale and Price

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 applicant attended the meeting for this item. He agreed that a police constable attending the meeting for training purposes could observe the proceedings. 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 and his driving standards agency assessment for inspection by the committee.)

The environmental protection officer referred to the report and said that the applicant was aware of the procedures in respect of the admission of "older" convictions. In reply to a question the applicant confirmed that he was aware of the procedures and that he did not object to the spent convictions being admitted.

Following discussion it was:

RESOLVED unanimously to admit details of the 'older convictions'.

The environmental protection officer presented the report and advised the committee that since the publication of the report the applicant had been convicted in December 2012 for exceeding the speed limit in July 2012.

The applicant explained and answered members' questions on the circumstances for his conviction in December 2012 and his conviction on 19 August 2010 for battery. He then answered questions on the 'older convictions' and explained the details of the convictions which had occurred 6 and 11 years ago. He advised the committee that he could not recall the circumstances for the conviction that had received

9 years ago. He advised members that he had subsequently changed his life around and had been offered a job with a taxi company in the city.

(The applicant together with the environmental protection officer and the observer, left the meeting at this point.)

During discussion members referred to the guidance relating to the relevance of convictions and that the applicant should be able to demonstrate at least three years free of convictions for violence before an application could be entertained, which in the case of this applicant would be August 2013. The applicant would be asked to give serious consideration as to whether he was suited for the work of a taxi driver. A new application would be considered on its merits.

RESOLVED unanimously to refuse the application for the grant of a 3 month private hire driver's licence, case no 12/00910/PHD3.

(The applicant and the environmental protection officer, together with the observer, were admitted to the meeting and informed of the decision minuted above. The legal advisor 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.)

***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 agreed that a police constable attending the meeting for training purposes could observe the proceedings. 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 environmental protection officer presented the report. The applicant explained the circumstances of his convictions for exceeding the statutory speed limit on 7 September 2008; and two convictions on 13 October 2009 and 8 August 2012 for breach of requirements as to the control of the vehicle, mobile phones etc. He explained that he was a qualified driving instructor but had been working as a pizza delivery driver and used a mobile phone to take a personal call.

(The applicant together with the environmental protection officer and the observer, left the meeting at this point.)

Following discussion it was:

RESOLVED to grant the application for a 3 month private hire drivers' licence: case number 12/01194/PHD3.

(The applicant and the environmental protection officer, together with the observer, were admitted to the meeting and informed of the decision minuted above. The chair advised the applicant to ensure that he was a careful driver at all times.)

***4. APPLICATION FOR RENEWAL OF HACKNEY CARRIAGE DRIVERS' LICENCE NO 11/00608/HACKD (PARAGRAPHS 1 AND 3)**

(As the applicant was not in attendance the chair adjourned the committee for ten minutes to allow the environmental protection officer to contact him. The applicant had been asked to attend at 2.30pm. The committee adjourned at 3pm. The environmental protection officer was unable to contact the applicant during this period. The committee reconvened at 3.10pm and the committee agreed to continue in the absence of the applicant.)

The environmental protection officer presented the report and answered members' questions.

RESOLVED to revoke the hackney carriage drivers' licence no 11/00608/hackd to take immediate effect in accordance with Section 52 of the Road Safety Act.

CHAIR