



Regulatory Subcommittee

14:00 to 15:25

9 November 2020

Present: Councillors Stutely (chair), McCartney-Gray, Oliver and Price

Apologies: Councillor Ryan

1. Declarations of Interest

There were no declarations of interest.

2. Exclusion of the Public

RESOLVED to exclude the public from the meeting during consideration of items 3* to 7* below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

3*. Application for renewal of a hackney carriage driver's licence 19/01111/HACKD (Paragraphs 1 and 3)

(The public protection licensing advisor was admitted to the meeting. The applicant did not attend.)

(Councillor Oliver was not present for the full item and did not vote on this item)

The licensing advisor said the applicant had contacted the council to advise that he was sending his apologies as he was unable to attend the meeting due to a prior engagement. He understood he was required to provide a medical certificate to progress his application and stated he would contact his doctor's surgery to address the matter.

(The licensing advisor left the meeting at this point.)

Following discussion it was:

RESOLVED, unanimously, to delegate authority to licensing officers to process the application to renew hackney carriage driver's licence 19/01111/HACKD if all relevant paperwork was received. If the relevant paperwork from the applicant was not received, to defer hearing the application to the next meeting of regulatory subcommittee.

(The licensing advisor was admitted to the meeting and informed of the subcommittee's decision. The applicant would receive notification of the subcommittee's decision and had the right to appeal within 21 days of receipt of that letter.)

**4*. Application for renewal of a private hire driver's licence 19 00239
PHDRIV (Paragraphs 1 and 3)**

(Councillor Oliver returned to the meeting)

(The public protection licensing advisor and the applicant were admitted to the meeting.)

The licensing advisor presented the report. The applicant had applied to renew his private hire driver's licence on 22 June 2019 but no disclosure barring service certificate (DBS) or medical certificate has been received in support of the application.

The chair welcomed the applicant to committee. The applicant confirmed that he was aware of his right to be legally represented but had chosen not to be. The licensing advisor advised that she had checked his DVLA licence prior to the meeting commencing.

The applicant advised that he had a valid and current DBS certificate but had been unable to attend City Hall due to Covid-19 to provide this to the licensing department. He stated that in January 2019 he submitted all the relevant documents required to process his application to the licensing department in person.

In response to the chair's question the licensing advisor said she could not state categorically if the department had received the applicant's medical certificate and DBS or not. The system recorded that the applicant had submitted his application and payment but not his medical certificate.

In response to Councillor Price's question the applicant said that he had emailed the department regarding the matter the week beginning 14 September 2020 to try to resolve the matter and had not received a response.

The licensing advisor clarified what paperwork was outstanding on the application, a certificate confirming the applicant was medically fit to drive and a new up to date DBS certificate would be required to process the renewal.

(The public protection licensing advisor and the applicant left the meeting at this point.)

Following discussion it was:

RESOLVED, unanimously, to:

- 1) delegate processing of the application to licensing officers if all relevant paperwork received;

- 2) ask licensing officers after sight of a relevant DBS to provide the applicant with the cost of or to deduct the relevant cost of his medical certificate up to a value of £120; and
- 3) defer hearing of the application to the January 2021 meeting of regulatory subcommittee if the relevant paperwork is not received.

(The public protection licensing advisor were readmitted to the meeting and informed of the subcommittee's decision. The applicant would receive notification of the subcommittee's decision and had the right to appeal within 21 days of receipt of that letter.)

**5*. Application for Renewal of a private hire driver's licence
19/01324/PHDRIV (Paragraphs 1 and 3)**

(The chair took this item next).

(The public protection licensing advisor was admitted to the meeting. The applicant did not attend.)

The licensing advisor said the applicant had contacted the council by email to advise that he had not realised that his licence was still running and that he had stopped working as a driver over a year ago and had no intention currently of renewing his licence.

(The licensing advisor left the meeting at this point.)

Following discussion it was:

RESOLVED, unanimously, to refuse to renew private hire driver's licence 19/01324/PHDRIV for any other reasonable cause, in that the applicant has failed to provide the necessary information to demonstrate that he satisfied the test of being a fit and proper person to hold such a licence under S51 of the Local Government (Miscellaneous Provisions) Act, 1976.

**6*. Application for the renewal of a private hire driver's licence
19/00119/PHDRIV (Paragraphs 1 and 3)**

(The chair took this item next).

(The public protection licensing advisor was admitted to the meeting. The applicant did not attend.)

The licensing advisor said the applicant had contacted the council to advise that he had not received initial communications from the council as he had moved house. The applicant had now provided all relevant documentation in order to process his application. The licensing advisor confirmed that she had checked all relevant paperwork and it was all in order.

(The licensing advisor left the meeting at this point.)

Following discussion it was:

RESOLVED, unanimously to renew Private Hire Driver's Licence:19/00119/PHDRIV in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976.

**7*. Application for renewal of a private hire driver's licence
18/02074/PHDRIV (Paragraphs 1 and 3)**

(The chair took this item next).

(The licensing advisor was admitted to the meeting. The applicant did not attend.)

The applicant had not responded to any communications from the licensing department. No relevant disclosure barring service certificate (DBS) had been received from the applicant.

(The licensing advisor left the meeting.)

RESOLVED, unanimously, to refuse to renew private hire driver's licence 18/02074/PHDRIV for any other reasonable cause, in that the applicant has failed to provide the necessary information to demonstrate that he satisfied the test of being a fit and proper person to hold such a licence under S51 of the Local Government (Miscellaneous Provisions) Act, 1976.

(The licensing advisor was readmitted to the meeting and informed of the subcommittee's decision.)

CHAIR