



Regulatory Subcommittee

14:20 to 16.00

13 September 2021

Present: Councillors Stutely (Chair), Ackroyd, Fulton-McAlister (E), Huntley and Schmierer

1. Declarations of Interest

There were no declarations of interest.

2. APPLICATION FOR RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE – CASE NUMBER 18/01541/PHDRIV

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

The chair introduced the members of the panel and officers present. The applicant confirmed that he had received a copy of the report.

The public protection manager presented the report. He presented further information to the committee which was circulated, this included a record of telephone conversations between the licensing department and the applicant and a copy of a newspaper article. Members also reviewed the minutes of the committee meeting of June 2020.

The applicant provided a copy of his basic DPS certificate and committee reviewed and confirmed that his driving licence was in date.

The legal advisor to the committee checked the matters which the committee wished to refer to and asked whether the applicant was happy to remain unrepresented which the applicant confirmed he was.

The chair asked the applicant to explain why he had previously appeared before committee in July 2014.

A member asked why the applicant had not declared when he made his licence renewal application any information in relation to an incident in June 2018. The applicant explained the circumstances of the incident and answered member's questions.

A member asked if the applicant had been involved in any other incidents and he confirmed he had not.

It was highlighted that if the applicant's licence was successfully renewed by committee then he would be required to return with an enhanced DBS certificate when he made his next application which would be due October 2021.

(The applicant and the public protection manager withdrew from the meeting at this point)

Members then discussed the merits of renewing the applicant's licence. Committee considered on balance that the applicant was a fit and proper person and to issue a renewal. The decision was not unanimous. The reasons decided upon by the majority of the councillors when they agreed the renewal on a split vote that the applicant was considered a fit and proper person, were:

- 1) Other than a matter in 2012 which resulted in a caution, and which due to the passage of time has negligible relevance today, there is a single incident of concern.
- 2) Committee noted the circumstances of the incident in June 2018 which was a serious but isolated incident and the applicant had a good driving record otherwise
- 3) The test for committee is to consider whether the applicant is a fit and proper person to be a taxi driver as at today's date, and committee on balance believes that the applicant is a fit and proper person to be a taxi driver and renewed your licence.

(The applicant and the public protection manager were readmitted to the meeting and informed of the subcommittee's decision)

RESOLVED to -

- (1) grant a renewal; and
- (2) ask the applicant to review the green book.

CHAIR