



REGULATORY SUB COMMITTEE

2.00 p.m. – 3.55 p.m.

17 May 2010

Present: Councillors Driver (Chair), Banham, Divers, Jago, Lay

1. EXCLUSION OF PUBLIC

RESOLVED to exclude the public from the meeting during consideration of Items 2 and 7 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 RENEWAL OF PRIVATE HIRE DRIVERS LICENCE - CASE NO. 16/31/3/523 (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 failed to produce 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 his application. The applicant explained the circumstances leading to his convictions on 27 June 2005, 22 April 2007, 2 November 2007, 12 November 2008 and 12 February 2010 for exceeding the statutory speed limit. He also explained his failure to notify the Council in writing within 7 days of his conviction on 12 November 2008.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

RESOLVED, with 4 members voting in favour (Councillors Banham, Divers, Lay and Jago) and 1 member voting against (Councillor Driver) to refuse to renew this Private Hire Drivers Licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976. Members were concerned that although the licence holder had previously received two separate warnings from the committee he continued to fail to observe speed limits.

(The applicant and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Solicitor 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 RENEWAL OF PRIVATE HIRE DRIVERS LICENCE - CASE NO. 16/31/3/721 (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 his application. The applicant answered questions about his convictions on 18 October 2007, 13 September 2009 and 5 October 2009 for exceeding the statutory speed limit.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

RESOLVED, unanimously to renew this Private Hire Drivers Licence.

(The applicant and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend or refuse to renew the licence in the future if the applicant's conduct was not up to the standard expected of a licence holder.)

***4. SUSPENSION/REVOCATION OF NORWICH CITY COUNCIL OF PRIVATE HIRE VEHICLE LICENCE CASE NO. 16/31/3/688 (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 since his conviction. The applicant answered questions about his conviction on 12 April 2010 for using a mobile telephone whilst driving.

(The licence holder and the Licensing Manager left the meeting at this point).

Following a discussion it was -

RESOLVED, unanimously, to take no action to suspend or revoke this Norwich City Council Private Hire Driver's Licence

(The licence holder and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend the licence in the future if the licence holder's conduct was not up to the standard expected of a licence holder.)

***5. APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE CASE NO. 16/31/3/722 (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 his application. The applicant answered questions about his conviction on 16 January 2004 for conspiracy to defraud on common law.

(The applicant and the Licensing Manager left the meeting at this point).

Following a discussion it was -

RESOLVED, unanimously to grant a 3 month Private Hire Drivers Licence.

(The applicant and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend or refuse to renew the licence in the future if the applicant's conduct was not up to the standard expected of a licence holder.)

***6. SUSPENSION/REVOCATION OF NORWICH CITY COUNCIL PRIVATE HIRE DRIVER'S LICENCE CASE NO. 16/31/3/720 (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 since his conviction on 6 March 2010. The applicant answered questions about his convictions on 13 February 2010 and 6 March 2010 for exceeding the statutory speed limit.

(The licence holder and the Licensing Manager left the meeting at this point).

Following a discussion it was -

RESOLVED, unanimously, to take no action to take no action to suspend or revoke this Norwich City Council Private Hire Driver's Licence

(The licence holder and the Licensing Manager were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke or suspend the licence in the future if the licence holder's conduct was not up to the standard expected of a licence holder.)

***7. APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE CASE NO. 16/31/3/717 (PARAGRAPHS 1 AND 3)**

RESOLVED in the continued absence of the applicant to defer this item to the next meeting and inform the applicant his failure to attend the next meeting would result in his application being refused.

CHAIR