



## Regulatory Subcommittee

14:00 to 16:00

12 September 2022

Present: Councillors Stutely (chair), Ackroyd, Brociek-Coulton, Sands (S),  
Schmierer (substitute for Councillor Catt)

Apologies: Councillor Catt

### 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 5\* 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 the renewal of a hackney carriage licence case numbers 22/01089/HACKD

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

The chair introduced members of the committee to the applicant. The committee confirmed the applicant's identity using the applicant's driving licence. The applicant confirmed that he had received the report and that he was aware of his right to legal representation but had chosen not to be. The applicant also confirmed that there were no pending court cases against him.

The public protection licensing adviser presented the report.

The applicant answered questions from members on the incidences of speeding and why he had not informed the licensing department of the motoring offences within the seven days that is required in the 'Green Book'. The applicant said that at the time of the offences he was otherwise employed and had not been sure whether he would return to driving a taxi. With regard to the failure to declare both offences on the application form he said that he had filled in the form incorrectly.

(The applicant and the public protection licensing adviser withdrew from the meeting at this point.)

Members discussed the merits of renewing the hackney carriage driver's licence. In their view the applicant had an otherwise clean record with a number of years working as a taxi driver licensed by Norwich City Council. The applicant had also not been carrying passengers at the time of either offence. The committee had taken into account the safety of members of the public and felt that there was no risk to public safety.

It was **RESOLVED** to:-

- 1) Grant the renewal for the full period; and
- 2) Ask public protection officers to conduct a DVLA check after 12 months and to send a hard copy of the Green Book to the applicant.

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

**\*4. Application for renewal of a private hire driver's licence case numbers: 22/00254/PHDRIV**

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

The chair welcomed the applicant. The committee confirmed the applicant's identity using the applicant's driving licence. The applicant confirmed that he was aware of his right to legal representation but had chosen not to be. The applicant also confirmed that there were no pending court cases against him.

The public protection licensing adviser presented the report.

The applicant detailed the offences and the circumstances surrounding them. He answered member's questions on why he had not informed the council of these within the required time frame. He said that he had not been aware of the requirement to do so, but that he was now aware of these.

(The applicant and the public protection licensing adviser withdrew from the meeting at this point.)

Members discussed the merits of renewing the private hire driver's licence. In their view the applicant had an otherwise clean record. The applicant had also not been carrying passengers at the time of either offence. The committee had taken into account the safety of members of the public and felt that there was no risk to public safety.

It was **RESOLVED** to:-

- 1) Grant the renewal for the full period; and
- 2) Ask public protection officers to conduct a DVLA check after 12 months and to send a hard copy of the Green Book to the applicant.

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

**\*5. Application for the grant of a private hire driver's licence: case numbers 22/01218/PHDRIV**

(The applicant, the applicant's sister and the public protection licensing adviser were admitted to the meeting.)

The chair welcomed the applicant. The committee confirmed the applicant's identity using the applicant's driving licence. The applicant confirmed that he was aware of his right to legal representation but had chosen not to be. The applicant also confirmed that there were no pending court cases against him.

The public protection licensing adviser presented the report. She said that while a DVLA check code had not been received at the time that the report had been published, the check had now been undertaken and the results circulated to members before the meeting.

The applicant detailed the incident that had led to his conviction. He answered members questions on this incident and historical offences. The applicant detailed how he had changed his life and driving habits since the incidence, and that he had support measures in place to prevent similar offences from happening. The committee also saw a copy of the applicant's medical certificate which confirmed that a doctor had deemed him fit to drive as a taxi driver.

(The applicant, the applicant's sister and the public protection licensing adviser withdrew from the meeting at this point.)

Members discussed the merits of granting the private hire driver's licence. The committee felt that on balance the driver had met the fit and proper person's test as he had shown remorse for the circumstances that led to his conviction and had appropriate measures in place to prevent these from happening again. In their view to ensure that the applicant remained a fit and proper person, a DVLA check and a DBS check should be conducted against his records.

It was **RESOLVED** to:-

- 1) Grant the licence for the full period; and
- 2) Delegate to officers to contact the applicant to conduct a DVLA check, enhanced DBS check and ask him to submit a new medical certificate within 12 months of issuing the licence. The cost of these checks would be for the applicant to meet.

(The applicant, the applicant's sister and the public protection licensing adviser were readmitted to the meeting and informed of the subcommittee's decision. The applicant was informed of his right to appeal within 21 days of receipt of written notification of the decision.)

CHAIR