



Regulatory Subcommittee

14:00 to 16:30

11 December 2017

Present: Councillors Button (chair), Jones (B), Malik and Raby (substitute for Councillor Price)

Apologies: Councillors Maxwell (other council business) and Price

1. Declarations of interest

There were no declarations of interest.

2. Exclusion of 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 Grant of Private Hire Drivers' Licence – Application ref 17/01518/PHDRIV (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 was unable to produce his DVLA licence for inspection by the committee but a file photocopy of the licence was examined at the meeting.)

The licensing officer presented the report. In reply to a question the applicant confirmed that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his convictions. He then answered detailed questions about the circumstances of his convictions as set out in Appendix A of the report. The applicant then informed the committee of his personal circumstances, his reasons for applying for a private hire drivers' licence, and the steps he had taken to "turn his life around" in the last three years.

(The applicant and the licensing officer left the meeting at this point).

Following a discussion it was -

RESOLVED, to refuse the grant of a private drivers' licence to the applicant (application ref 17/01518/PHDRIV) for the reasons set out in the statement below:

“The committee has considered carefully your application and what you have said in responses to their questions. There remain concerns with the pattern of your behaviour in the past and the committee feels that at present, the public may be at risk of harm or danger in certain circumstances.

The committee commend you for the efforts you have made to bring some order to your life and encourage you to continue to the point where the committee may review its decision to refuse the application today. We advise you to present evidence of progress if you do re-apply.”

(The applicant and the licensing officer 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 receipt of the notification. The applicant then left the meeting.)

***4. Suspension/revocation of Norwich City Council Private Hire Drivers’ Licence no 16/01350/HACKD (Paragraphs 1 and 3)**

(The applicant attended the meeting for this item. He was accompanied by the chairman of the Norwich Hackney Trade Association. The appellant produced his DVLA licence for inspection by the committee).

The licensing officer 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 convictions. He then answered detailed questions about the circumstances of his convictions on 13 September 2017 and 30 September 2017 for exceeding the statutory speed limit. The applicant apologised to the committee for his lack of judgement on these two occasions. There were no customers in the vehicle on either occasion. He explained that he did not report the first offence to the council within seven days because he was under the mistaken impression that he had a month to report a conviction to the council. The applicant said that he had been a hackney driver for a several years and this was the first time he had been before the committee. He presented three letters of support from two regular customers and one from his partner, stating that the appellant was caring to people with disabilities.

(The applicant and the licensing officer left the meeting at this point).

Following a discussion it was -

RESOLVED, to take no action.

(The applicant and the licensing officer were admitted to the meeting and informed of the decision minuted above. The chair advised the applicant to familiarise himself with the Green Book and to take care not to exceed the speed limit in future. The applicant then left the meeting.)

***5. Suspension/revocation of Norwich City Council Private Hire Drivers' Licence no 16/01328/PHDRIV (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 officer 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 conviction. He then answered detailed questions about the circumstances of conviction on 20 November 2017 for driving without insurance. At the time he had been unaware that the small print of the policy did not cover him for third party insurance because he was under the age of 25.

In reply to further questioning, the applicant explained that he was a university student. He considered that private hire driving would fit in with his studies, if he could arrange the finance for a vehicle and insurance.

(The applicant left the meeting at this point).

Following a discussion it was -

RESOLVED, to take no action.

(The applicant was admitted to the meeting and informed of the decision minuted above. The chair advised the applicant that he should familiarise himself with the Green Book. The applicant then left the meeting).

CHAIR



Regulatory Subcommittee

14:00 to 14:35

19 February 2018

Present: Councillors Button (chair), Ackroyd, Brociek-Coulton and Jones (B).

Apologies: Councillor Bradford

1. Declarations of interest

There were no declarations of interest.

2. Exclusion of public

RESOLVED to exclude the public from the meeting during consideration of items *3 and *4 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.

The chair took item *3 below first.

***3. Suspension/revocation of Norwich City Council private hire drivers licence No: 1601383PHDRIV (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 was unable to produce his DVLA licence for inspection by the committee but a file photocopy of the licence was examined at the meeting.)

The licensing assistant presented the report. In reply to a question the applicant confirmed that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his convictions. He then answered detailed questions about the circumstances of his convictions as set out in Appendix A of the report.

The legal advisor to the committee clarified the matter being considered and confirmed with the licensing assistant that the committee was considering a renewal of a licence and not a suspension/ revocation.

(The applicant and the licensing officer left the meeting at this point).

Following a discussion it was –

RESOLVED unanimously to grant the renewal of the private drivers' licence to the applicant (application ref 1601383PHDRIV).

The applicant and the licensing officer were admitted to the meeting and informed of the decision minuted above.

The applicant was informed that the committee had given due consideration to the matters before them and on balance had decided that he was a fit and proper person to hold a licence. They reminded him to read his green book carefully and report any matters to the licensing department within seven days.

(The applicant left the meeting at this point).

***4. Application for grant of private hire drivers licence – Application ref: 17/01754PHDRIV (Paragraphs 1 and 3)**

(The applicant attended the meeting for this item and was supported by a friend. The applicant produced his DVLA licence for inspection by the committee).

The licensing assistant presented the report. In reply to a question the applicant confirmed that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his convictions. He then answered detailed questions about the circumstances of his convictions as set out in Appendix A of the report.

The applicant apologised to the committee for his behaviour and said he was much younger when the offences had been committed and regretted his actions. He informed the committee of his personal circumstances, his reasons for applying for a private hire drivers' licence, and the steps he had taken to "turn his life around" in the last six years.

(The applicant, his friend and the licensing officer left the meeting at this point).

Following a discussion it was -

RESOLVED unanimously to grant the private drivers licence to the applicant (application ref 17/01754PHDRIV).

The applicant and the licensing officer were admitted to the meeting and informed of the decision minuted above. The chair advised the applicant to familiarise himself with the green book carefully and report any matters to the licensing department within seven days.

(The applicant then left the meeting.)

CHAIR