



## Regulatory Subcommittee

14:10 to 18:35

09 May 2022

Present: Councillors Stutely (chair), Fulton-McAlister (E) (vice chair), Ackroyd, Button and Schmierer;

### 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 grant of a private hire drivers' licence – application ref 21/01715 PHDRIV

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

The chair introduced members of the committee to the applicant and asked the public protection licensing adviser to confirm the identity of the driver using a photocopy of his driver's 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 confirmed that he had a pending court case.

The applicant confirmed the details of the pending court case.

The legal advisor advised members to defer the item until after the conclusion of the pending court case, and to hear the application at the next relevant committee date.

**RESOLVED** to defer hearing the application to the next appropriate committee meeting following the conclusion of the court case.

(The meeting was adjourned from 2:25pm to 2:55pm.)

**\*4. Application for the Grant of Hackney Carriage Drivers' Licence**

Additional papers were circulated by the applicant and read by all parties.

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

The chair welcomed the applicant. 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 then circulated further papers, which included photographs and police reports made by the applicant, to the committee.

The chair asked the applicant to detail the circumstances of each of the allegations that had been made against him. In each case the applicant denied each allegation and said that these had been made in an attempt to blackmail.

The applicant then stated that he had audio recordings of the alleged incidents of blackmail which he asked his sister to play for the committee. The applicant withdrew from the meeting at this point

(The applicant's sister withdrew from the meeting at this point. The applicant was readmitted to the meeting).

The chair summarised the contents of the recording that had been heard by the committee.

The applicant then answered further questions from members on the allegations made against him.

In response to a member's question on driving vulnerable people the applicant stated that he had been in contact with vulnerable people both through his previous years as a taxi driver and in his personal life.

(The applicant, the public protection team leader and public protection licensing advisor withdrew from the meeting at this point.)

Members discussed the merits of refusing to grant the application as the applicant had, on balance, not met the fit and proper person test. The committee was concerned about the nature of allegations against the applicant, and these were alleged to have taken place over several years, even though the allegations did not result in conviction. As the role of a taxi driver involved the transport of vulnerable persons the committee felt that in order to protect the public safety they were minded to refuse the application.

(The applicant, the public protection team leader and public protection licensing advisor were readmitted to the meeting and informed of the subcommittee's decision)

**RESOLVED**, unanimously, to refuse the application for the grant of a Hackney Carriage drivers' licence as the committee considered that the applicant had not

provided the necessary information to demonstrate that he satisfied the test of being a fit and proper person to hold such a licence under s59 Local Government (Miscellaneous Provisions) Act 1976.

(The applicant was informed of his right to appeal the decision to the Magistrates' Court and that this must be done within 21 days of being notified of the decision.)

**\*5. Verbal update - revocations**

**RESOLVED** to defer this item to the next committee meeting.

CHAIR