



REGULATORY COMMITTEE

2.00 p.m. - 3.20 p.m.

15 December 2009

Present: Councillors Dylan Chair to item *4), Hooke, (Chair from item *4)
Banham, George, Jago, Lay and Ramsay

Apologies: Councillor Blower

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the Regulatory Committee held on 24 November subject to the following the reasons for approval –

- (1) Committee was satisfied that there existed a class of persons unable to access the hackney carriages currently licensed, who would be able to use the E7 Series vehicle;
- (2) Committee was of the view that there was no clear or compelling evidence shown indicating that the licensing of the E7 series 11 as a hackney carriage would constitute a danger to the public or that a refusal to license this vehicle could be justified on the grounds of public safety or in the furtherance of any other legitimate aim.

2. HACKNEY CARRIAGE ADVERTISING

The Senior Licensing Officer circulated photographs and explained to members he had received a request from an advertising company, to allow advertising on the whole of the rear window area of hackney carriage vehicles. He explained current specification at present allow for use of 50% of the window area.

Following discussion –

RESOLVED in order for the application to be considered, to invite the applicant to provide a vehicle with full vision advertising material at the next meeting.

3. EXCLUSION OF PUBLIC

RESOLVED to exclude the public from the meeting during consideration of Items 4 and 8 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

***4. APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVERS LICENCE - CASE NO. 16/31/3/706 (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 Senior 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 application. He then answered detailed questions about the circumstances of his convictions on 22 February 2006 for driving a motor vehicle with excess alcohol, 16 August 2006 for using disorderly behaviour or threatening/abusive/insulting words, 23 January 2007 for common assault, 10 July 2006 for exceeding the statutory speed limit, 25 July 2007 for breach of a community order and 14 July 2009 for criminal damage.

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

Following a discussion it was -

RESOLVED, four members voting against (Councillors Banham, George, Jago and Ramsay) and two members voting in favour (Councillors Hooke and Lay) not to grant a 3 month Private Hire Drivers Licence.

The committee considered the applicant was not a fit and proper person to be a taxi driver.

(The applicant and the Senior Licensing Officer were re-admitted to the meeting and informed of the decision minuted above).

***5. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - CASE NO. 16/31/3/705**

(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 Senior 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 application. He then answered detailed questions about the circumstances of his convictions on 5 July 2007 and 11 October 2008 for exceeding the statutory speed limit.

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

Following discussion, it was –

RESOLVED, unanimously, to approve the grant of a 3 month Private Hire Driver's Licence.

(The applicant and the Enforcement Officer were re-admitted to the meeting and informed of the decision minuted above. The Chair advised the applicant to familiarise himself with the 'Green Book' issued to all licence holders, he also 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 APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE - CASE NO. 16/31/3/707**

(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 Senior 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 application. He then answered detailed questions about the circumstances of his conviction on 20 March 2007 for using a vehicle uninsured against third party risks.

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

Following discussion it was –

RESOLVED, unanimously, to approve the grant of a 3 month Private Hire Driver's Licence.

(The applicant and the Enforcement Officer were re-admitted to the meeting and informed of the decision minuted above. The Chair advised the applicant to familiarise himself with the 'Green Book' issued to all licence holders, he also 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.)

***7. APPLICATION FOR THE GRANT OF A 3 MONTH PRIVATE HIRE DRIVER'S LICENCE - CASE NO. 16/31/3/708**

(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 Senior 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 application. He then answered detailed questions about the circumstances of his convictions on 26 September 2005 for using for using a vehicle uninsured against third party risks for two offences (9 June and 12 July 2005) and 11 March 2007 for exceeding the statutory speed limit.

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

Following discussion it was –

RESOLVED, unanimously, to approve the grant of a 3 month Private Hire Driver's Licence.

(The applicant and the Enforcement Officer were re-admitted to the meeting and informed of the decision minuted above. The Chair advised the applicant to familiarise himself with the 'Green Book' issued to all licence holders, he also 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.)

***8. SUSPENSION/REVOCATION OF PRIVATE HIRE DRIVERS LICENCE
CASE NO 16/31/3/709 (PARAGRAPHS 1 AND 3)**

(The licence holder attended the meeting for this item. The licence holder produced his DVLA licence for inspection by the Committee.)

The Senior Licensing Officer 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 licence holder then answered a number of detailed questions about the circumstances of his conviction for exceeding the statutory speed limit on 28 October 2009.

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

Following discussion it was –

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

(The licence holder and the Senior Licensing Officer 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.)

CHAIR