



**REGULATORY SUB COMMITTEE**

14:30 – 16:15

13 June 2016

Present: Councillors Woollard (in the chair for this meeting as substitute for Button), Davis, Driver and Jones (T)

Apologies: Councillors Brociek-Coulton and Button

**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 \*7 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 renewal of a private hire drivers licence reference 16/00927/PHDRIV (paragraphs 1 & 3)**

(The applicant attended the meeting for this item. The applicant produced his DVLA licence for inspection by the committee. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his convictions on 20 June 2015 and 20 November 2015, both for exceeding the statutory speed limit in a public road.

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

**RESOLVED**, unanimously, to renew the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The chair asked the applicant to be aware of his speed at all times. The applicant then left the meeting.)

**\*4. Application for renewal of a private hire drivers licence reference 16/00927/PHDRIV (paragraphs 1 & 3)**

(The chair agreed to move this item up the agenda)

(The applicant attended the meeting for this item. The applicant produced his DVLA licence for inspection by the committee. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his convictions on 11 January 2016 and 5 June 2015 for exceeding the statutory speed limit on a public road.

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

After discussion, the applicant and the licensing manager were admitted to the meeting. The applicant was informed that the committee had concerns regarding his speeding, his failure to provide accurate data regarding previous convictions on his renewal form despite signing to say the data was true and his failure to notify the council of his conviction within seven days. However, on balance it was:

**RESOLVED** with Councillors Jones, Driver and Davis voting in favour and Councillor Woollard voting against, to renew the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant was informed that he would receive a written warning setting out the committee's concerns and subsequently left the meeting.)

**\*5. Application for renewal of a private hire drivers licence reference 16/01093/PHDRIV (paragraphs 1 & 3)**

(The applicant attended the meeting for this item. The applicant produced his DVLA licence for inspection by the committee. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his convictions on 23 February 2013 and 18 January 2015 for exceeding the statutory speed limit on a public road.

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

**RESOLVED**, unanimously, to renew the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The chair reminded the applicant to be mindful of his speed at all times. The applicant then left the meeting.)

**\*6. Application for renewal of a private hire drivers licence reference 15/00782/PHDRIV (paragraphs 1 & 3)**

(The applicant attended the meeting for this item. The applicant produced his DVLA licence for inspection by the committee. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his conviction on 27 March 2015 for exceeding the statutory speed limit on a public road.

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

**RESOLVED**, unanimously, to renew the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The chair asked the applicant to be aware of his speed at all times. The applicant then left the meeting.)

**\*7. Application for renewal of a private hire drivers licence reference 16/01060/PHDRIV (paragraphs 1 & 3)**

(The applicant attended the meeting for this item. The applicant produced his DVLA licence for inspection by the committee. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his convictions on 27 February 2013, 16 March 2013, 12 August 2013 and 14 December 2015 for exceeding the statutory speed limit on a public road.

**RESOLVED** unanimously, to renew licence number 16/01060/PHDRIV with a two week suspension.

The applicant and the licensing manager were admitted to the meeting. The applicant was informed that the committee were concerned that his previous appearances before the committee and a written warning had not deterred him from speeding. The members had taken account of the minutes of his previous

attendances at committee and his explanations but were concerned by a significant driver error and that despite previous warnings; the applicant had failed again, to notify the council within seven days of his conviction.

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 this meeting.

CHAIR



**REGULATORY SUB COMMITTEE**

14:10 – 17:05

8 August 2016

Present: Councillors Maxwell (substitute for Malik and in the chair) Davis,  
Jones (B) and Raby  
Apologies: Councillors Button and Malik

**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 \* 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 renewal of a private hire drivers licence reference 16/00838/HACKD (paragraphs 1 & 3)**

(The chair agreed to move this item up the agenda)

(The applicant attended the meeting for this item. The applicant was not able to produce his DVLA licence for inspection by the committee so the licensing manager circulated a copy. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his conviction on 30 June 2015 for driving a mechanically propelled vehicle without due care and attention. The applicant could not give the committee any detail around the court hearing for the conviction as he had been represented by a solicitor and did not attend. The committee decided that they did not have enough information to determine the application and wanted to review the court paperwork before going ahead.

**RESOLVED**, unanimously, to defer the application, pending the court paperwork being obtained by the applicant.

(The applicant then left the meeting.)

**\*4. Application for renewal of a private hire drivers licence reference 15/02031/PHDRIV (paragraphs 1 & 3)**

(The applicant attended the meeting for this item and was legally represented by Simon Nichols. The applicant produced his DVLA licence for inspection by the committee.)

The licensing manager presented the report.

The applicant's legal representative explained the circumstances surrounding his conviction on 27 April 2016 for possession of an offensive weapon. The applicant then answered member's questions.

(The applicant, his legal representative and the licensing manager left the meeting at this point).

After discussion, the applicant, his legal representative and the licensing manager were admitted to the meeting. The applicant was informed that the committee had taken into account the unintentional nature of the events and the way the applicant dealt with these. The committee had considered a suspension of the licence but felt that it was not in the public interest to impose this. They recommended that in future, he paid careful attention to the contents of his vehicle. It was therefore:-

**RESOLVED** unanimously, to renew the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and his legal representative then left the meeting.)

**\*5. Application for renewal of a private hire drivers licence references 15/00688/PHDRV and 16/00407/PHDRIV (paragraphs 1 & 3)**

(The applicant attended the meeting for this item. The applicant produced his DVLA licence for inspection by the committee. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his conviction on 11 August 2014 for possessing a controlled drug – class A and the reasons that he failed to submit an application to the Disclosure and Barring service.

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

After discussion, the applicant and the licensing manager were readmitted to the meeting. The applicant was informed that his failure to notify the licensing department of his conviction on several occasions, despite previous warnings was very concerning. The committee was also concerned with his lack of responsibility

and adherence to the 'Green Book'. There had been a lack of transparency in his application and a lack of engagement by the applicant in the application process.

**RESOLVED**, unanimously, to renew the private hire driver's licence for three months only, from the date of the meeting, in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application. The applicant would need to resubmit an application for a private hire driver's licence at the end of the three month period.

(The applicant then left the meeting.)

**\*6. Application for renewal of a private hire drivers licence reference 16/01060/PHDRIV (paragraphs 1 & 3)**

(The applicant attended the meeting for this item. The applicant was not able to produce his DVLA licence for inspection by the committee so the licensing manager circulated a copy. The applicant was aware that he could have been legally represented but had chosen not to be. He confirmed that he had no pending cautions or convictions.)

The licensing manager presented the report.

The applicant confirmed that he was happy for the committee to consider his spent convictions. He explained the circumstances surrounding his convictions as set out in the report and answered member's questions.

(The applicant, his partner, his representative and the licensing manager left the meeting at this point).

**RESOLVED** unanimously, to grant the private hire drivers license in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant, his partner, his representative and the licensing manager were admitted to the meeting and informed of the decision minuted above.)

CHAIR