



Regulatory Subcommittee

14:30 to 15:35

11 March 2024

Present: Councillors Stutely (chair), Catt, Kidman, Maguire and Young (substitute for Councillor Schmierer)

Apologies: Councillor 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 item *3, *4 and *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 to Determine Possible Suspension or Revocation of Private Hire Drivers Licence: Case Number 22/02037/PHDRIV**

(The Public Protection Licensing Adviser (licensing adviser) was admitted to the meeting. The licence holder did not attend the meeting for this item.)

The licensing adviser assured the subcommittee that the licence holder had been sent a copy of the report and advised of the meeting in writing and by email. The licence holder had not responded to the invitation to attend the meeting and no letters had been returned or emails noted as undelivered. The subcommittee decided to proceed with the item in the absence of the licence holder.

The licensing adviser presented the report and explained that the licence holder's private hire driver's licence had been renewed in December 2022 subject to conditions attached requiring the provision of an additional DBS check and DVLA check after 12 months from the date of renewal. The licencing authority had not received these documents despite reminders being sent to the licence holder.

(The licensing adviser left the meeting at this point.)

Following discussion, it was:

RESOLVED, unanimously, to revoke the licence holder Private Hire Drivers' Licence: Case Number 22/02037/PHDRIV for any other reasonable cause, in that

the applicant has failed to provide the necessary information to demonstrate that he satisfies the test of being a fit and proper person to hold such a licence, under Section 61 of the Local Government (Miscellaneous Provisions) Act, 1976.

(The licensing adviser was readmitted to the meeting and informed of the subcommittee's decision. The licence holder would receive notification of the subcommittee's decision and had the right to appeal within 21 days of receipt of that letter. The letter would be hand delivered by the licencing enforcement officer.

The licensing adviser also explained the process undertaken when a licence was revoked. This included retrieving the licence holder's badge, notifying the taxi companies, and amending the national data base.)

(The licensing adviser left the meeting at this point.)

(The chair agreed to take the next item earlier in the agenda whilst the subcommittee waited for the next licence holder to attend)

***4. Application for the Grant of a Private Hire Driver's Licence Application
ref: 24/00048/PHDRIV**

(The Public Protection Licensing Adviser (licensing adviser) was admitted to the meeting. The applicant did not attend the meeting for this item.)

The licensing adviser asked that this item be withdrawn from consideration. The applicant had emailed the licensing team over the weekend with a DVLA check code. There were no points on the applicant's licence, and it was assumed that the applicant had been successful at appeal. If officers were satisfied with the detailed application the licence could be granted to the applicant under officer delegation.

RESOLVED, unanimously, to withdraw this item from the agenda (Application for the Grant of a Private Hire Driver's Licence Application ref: 24/00048/PHDRIV).

(The subcommittee adjourned for a short break at this point and reconvened with all members present as listed above.)

***5. Application to Determine Possible Suspension or Revocation of Private Hire Drivers Licence: Case Number 22/01479/PHDRIV**

(The Public Protection Licensing Adviser (licensing adviser) was admitted to the meeting. The licence holder did not attend the meeting for this item.)

The licensing adviser assured the subcommittee that the licence holder had been sent a copy of the report and advised of the meeting in writing and by email. The licence holder had not responded to the invitation to attend the meeting and no emails had been undelivered or letters returned. The subcommittee decided to proceed in the absence of the licence holder.

The licensing adviser presented the report and explained that the licence holder had sought to renew the private driver's licence in July 2022 but had supplied a number that was not recognised on the DBS system or provide a code for a tax check to be undertaken. The licence holder had not replied to emails requesting this information

and from the licensing office. The DVLA check and medical details provided in July 2022 were also now out of date.

(The licensing adviser left the meeting at this point.)

Following discussion, it was:

RESOLVED, unanimously, to refuse to renew the licence holder Private Hire Drivers' Licence: Case Number 22/02037/PHDRIV for any other reasonable cause, in that, given the time that had elapsed, the applicant has failed to provide the necessary information to demonstrate that he satisfies the test of being a fit and proper person to hold such a licence, under Section 61 of the Local Government (Miscellaneous Provisions) Act, 1976.

(The licensing adviser was readmitted to the meeting and informed of the subcommittee's decision. The licence holder would receive notification of the subcommittee's decision and had the right to appeal within 21 days of receipt of that letter. The letter would be hand delivered by the licensing enforcement officer.)

(The licensing adviser left the meeting at this point.)

6. Rachel Bennett, Public Protection Licensing Adviser

RESOLVED to record the members' gratitude to Rachel Bennett, Public Protection Licensing Adviser, for her support to the Licensing and Regulatory Committees.

CHAIR