HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING
SUB-COMMITTEE

Thursday, 12 January 2017  5.30 pm  Committee Room 3, City Hall

Membership:  Councillors Pat Vaughan (Chair), Loraine Woolley (Vice-Chair),
Kathleen Brothwell, Adrianna McNulty and Andy Kerry

Substitute member(s):  Councillors Paul Gowen

Officers attending:  Will Allen, Legal Services and Democratic Services

A G E N D A

SECTION A

1. Confirmation of Minutes - 8 December 2016  3 - 4

2. Declarations of Interest

Please note that, in accordance with the Members' Code of Conduct,
when declaring interests members must disclose the existence and
nature of the interest, and whether it is a disclosable pecuniary interest
(DPI) or personal and/or pecuniary.

3. Exclusion of Press and Public  5 - 6

You are asked to resolve that the press and public be excluded from the
meeting during the consideration of the following item(s) because it is
likely that if members of the press or public were present, there would be
disclosure of 'exempt information'

SECTION B

4. To Interview a Current Hackney Carriage Driver in Relation to his
Application for a Medical Exemption Certificate (01/2017)  7 - 10

[Exempt Para(s) 1]
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Present: Councillor Pat Vaughan (in the Chair), Councillor Loraine Woolley, Councillor Kathleen Brothwell, Councillor Andy Kerry and Councillor Adrianna McNulty

Apologies for Absence: None.

20. Confirmation of Minutes 10 November 2016

The minutes of the meeting held on 10 November 2016 were confirmed.

21. Declarations of Interest

No declarations of interest were received.

22. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of ‘exempt information’ as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

23. To Interview an Applicant for a Private Hire Driver’s Licence who has a Relevant Conviction [18/2016]

The Sub-Committee interviewed an applicant for a Private Hire Driver’s Licence who had a relevant conviction that was outside of the Council’s guidelines. The applicant disclosed the conviction to the Licensing Officer at the time of the application. The applicant was convicted of arson and explained that he had received a Community Order of 100 hours unpaid work and had to pay £100 towards the costs. The applicant explained in detail the circumstances relating to the conviction and clarified that there was no damage caused, that the incident was not malicious and was intended as a practical joke, and that no-one was hurt in the incident. However the offence had led to the applicant losing his job and career with the fire service.

The decision was made as follows:

That the licence be granted along with a letter from the Licensing Team advising him of the seriousness of the conviction and the consequences of any further offending.

Reasons for the decision:

The applicant was able to persuade the members of the Sub-Committee to depart from the Council’s statement of Policy on Relevant Convictions.

1. The Sub-Committee felt that the applicant was very remorseful and apologetic. He expressed how foolish and irresponsible he had been both
in his letter to the Licensing Officer and in front of the Sub-Committee members.

2. The applicant presented himself well and answered all questions from the Sub-Committee honestly and concisely.

3. The Sub-Committee took into consideration the character reference from the applicant’s ex-employer and believed that the incident was totally out of character and was, as described, ‘a moment of madness’.

4. The Sub-Committee was of the opinion that the applicant was eager to start rebuilding his life by starting a new career developing a Private Hire business with his father.

5. The conviction occurred in 2010 and the incident was in 2009, the Sub-Committee noted that the applicant had no other offences prior to or since that time.

6. The applicant had worked his 100 hours Community Order in 6 months and was still volunteering in the charity shop where he worked this order.

7. Members of the Sub-Committee commented on the applicant’s achievement of 10/10 in the knowledge test and was deemed to be a low risk in his driving assessment.

8. The Sub-Committee was unanimous in their decision to grant the licence as they believed that the applicant was a fit and proper person to hold a Private Hire Driver’s Licence.
1. Purpose of Report

1.1 To advise members that any agenda items following this report are considered to contain exempt or confidential information for the reasons specified on the front page of the agenda for this meeting.

2. Recommendation

2.1 It is recommended that the press and public be excluded from the meeting at this point as it is likely that if members of the press or public were present there would be disclosure to them of exempt or confidential information.
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