

## HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

Thursday, 4 January 2018

5.30 pm

Committee Room 4, 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

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### A G E N D A

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SECTION A	Page(s)
1. Confirmation of Minutes 29 November 2017	3 - 6
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	7 - 8
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'	
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SECTION B	
4. To Interview an Application for a Private Hire Driver's Licence who is unable to Provide a Certificate of Good Conduct [12/2017]	9 - 14
	[Exempt Para(s) 1]
5. To Interview an Expired Licence Holder who is unable to Provide a Certificate of Good Conduct [01/2018]	15 - 18
	[Exempt Para(s) 1]

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**Present:** Councillor Pat Vaughan (*in the Chair*),  
Councillor Loraine Woolley, Councillor  
Kathleen Brothwell, Councillor Adrianna McNulty and  
Councillor Ronald Hills

**Apologies for Absence:** Councillor Andy Kerry

**30. Confirmation of Minutes - 2 November 2017**

The minutes of the meeting held on 2 November 2017 were approved.

**31. Declarations of Interest**

No declarations of interest were received.

**32. 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.

**33. To Interview an Existing Driver Following a Complaint [11/2017]**

The Licensing Officer:

- a. presented the report which detailed the contents of the complaint made against the Private Hire Driver licence holder
- b. explained the concerns of the complainant about the speed and driving manner of the licence holder
- c. stated that the licence holder had been interviewed and when shown the photographs of the speedometer and agreed that he had exceeded the speed limit

The Sub-Committee interviewed the licence holder and asked for an explanation of the evening's events. The licence holder stated that although he agreed that the dashboard and speedometer were from his car he hadn't realised he was travelling at the excessive speed that was shown on the photographs. However he was extremely apologetic as this was not his normal behaviour and he was aware that he should not exceed the speed limit at any time. The licence holder promised that nothing would happen like this again and he was concerned that he had upset the customer.

The Sub-Committee questioned the licence holder as to whether he was not only speeding but also whether he was driving angrily or recklessly. The licence holder admitted that he had exceeded the speed limit but denied that he was driving angrily or recklessly. He informed the Sub-Committee that he always treated his passengers and the public with great respect.

The Sub-Committee questioned the licence holder about how long he had been a Private Hire licence holder and what were his normal hours of work. The licence holder responded that he had held a licence since 2010 and there had never been any issues or other complaints made against him. He continued that he started work at 3 - 3.30 in the afternoon and worked through to the early hours of the morning.

The decision was made as follows:

- That the licence be suspended until such time that the driver could attend and pass a driver improvement programme and achieve a low level risk score.
- That the licence holder send a written apology to the complainant.
- A strongly worded letter would be issued which would emphasise the very high standards of safe driving expected from him as a Private Hire Driver, including an expectation that should any traffic violations be committed or any other complaints received these would result in him being brought back before the Sub-Committee.

The reasons for the decision:

1. The Sub-Committee believed that the licence holder was genuinely apologetic for his behaviour and that the situation that had happened was out of character.
2. The licence holder presented himself well and had a long unblemished record as a Private Hire driver which was taken into consideration. He admitted to the Sub-Committee from the outset that he had exceeded the speed limit. The licence holder volunteered to write a letter of apology to the complainant.
3. The licence holder impressed the Sub-Committee with his openness and honesty about the incident. He convinced the Sub-Committee that he was truly apologetic and that this or anything similar would not happen again as this job was vital to him being able to support his family.
4. Members agreed that the licence holder would benefit from the Driver Improvement Programme which was not available when he started as a Private Hire Driver in 2010, and that he had learnt a lesson by being put under scrutiny by the Sub-Committee.
5. After taking all factors into consideration the Sub-Committee felt that after achieving the low risk of the Driver Improvement Programme the licence holder would be a fit and proper person to hold a Private Hire Driver's Licence.

**34. To Interview an Applicant for a Private Hire Driver's Licence who is unable to Provide a Certificate of Good Conduct [122017]**

The applicant had contacted the Licensing Team to inform them that he was unable to attend this meeting therefore this item was adjourned to the next scheduled meeting.



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<b>SUBJECT:</b>	<b>EXCLUSION OF THE PRESS &amp; PUBLIC</b>
<b>DIRECTORATE:</b>	<b>CHIEF EXECUTIVE &amp; TOWN CLERK</b>
<b>REPORT AUTHOR:</b>	<b>CAROLYN WHEATER, MONITORING OFFICER</b>

**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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