

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING SUB-COMMITTEE

Thursday, 13 April 2023

5.30 pm

**Committee Room 3,
City Hall**

Membership: Councillors Pat Vaughan (Chair), Loraine Woolley (Vice-Chair), Alan Briggs, David Clarkson and Adrianna McNulty

Substitute members: Councillors Biff Bean

Officers attending: Becky Scott (Legal Services Manager), Democratic Services and Will Allen (Licensing Officer)

AGENDA

SECTION A	Pages
1. Apologies	
2. Confirmation of Minutes - 16 March 2023	3 - 4
3. 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.	
4. 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'	
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SECTION B	
6. To Interview an Existing Driver who has 9 Current Penalty Points - Item Number: 03/2023	7 - 12

[Exempt Paras 1]

7. To Interview An Existing Driver Who Has Failed To Disclose A Previous Conviction

13 - 16

[Exempt Paras 1]

Present: Councillor Pat Vaughan (*in the Chair*),
David Clarkson and Loraine Woolley

Apologies for Absence: Councillor Alan Briggs and Councillor Adrianna McNulty

66. Apologies

Apologies for absence were received from Councillor Alan Briggs and Councillor Adrianna McNulty.

The Democratic Services Officer confirmed the quorum of 2 members.

The Chair requested his thanks be noted on record for the dedicated work of the Committee, Legal Services and Officers alike.

67. Confirmation of Minutes - 26 January 2023

RESOLVED that the minutes of the meeting held on 26 January 2023 be confirmed and signed by the Chair as a true record.

68. Declarations of Interest

No declarations of interest were received.

69. 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.

70. To Interview an Applicant who has previously had a Private Hire Drivers Re-License Application Refused - Item Number 07/2022

The Licensing Officer:

- a) stated that in January 2023, the applicant submitted an application for a new Private Hire Driver's Licence
- b) highlighted that the applicant had previously held a Private Hire Drivers License from July 2021 until July 2022 when his license expired and his application for re-license was refused by the sub-committee
- c) explained that a new DBS check was requested which confirmed that the applicant had a clean criminal record and a DLVA check which revealed that the applicant had received the endorsements as listed at 3.4 to the report

- d) confirmed the provisions as specified within the Hackney Carriage and Private Hire Licensing Policy and Hackney Carriage and Private Hire Standards as seen at 3.5 and 3.6 of the report respectively
- e) requested Members determine whether the applicant was a fit and proper person to hold a Hackney Carriage Driver's License and provide full and frank reasons for the decision.

The applicant confirmed to the Sub-Committee that he had been told in a letter that he could take legal advice about this matter and also that he could bring an interpreter to the hearing, however had chosen to come alone. The Sub-Committee asked the applicant the appropriate questions in relation to the revocation of his licence and received relevant responses.

The decision was made as follows:

That the licence be granted for a period of one year with special conditions. The applicant would be required to submit to a DVLA check every quarter; the cost and expense of such to be met by the applicant.

Reason for the Decision

- a) The Sub-Committee took on board the applicant's comments that he had expected the meeting in September 2022 to be more informal than it was, which therefore caused him to present his case differently.
- b) The reference received for the applicant was extremely complimentary and was considered with weight.
- c) One of the endorsements listed at section 3.4 of the report was due to be 'spent' in a matter of days.
- d) There had been no complaints received regarding the applicant during his time as a Hackney Carriage and Private Hire License holder.
- e) The applicant understood the need for and importance of notifying the licensing team of any conviction/offence as soon as possible.

SUBJECT:	EXCLUSION OF THE PRESS & PUBLIC
DIRECTORATE:	CHIEF EXECUTIVE & TOWN CLERK
REPORT AUTHOR:	CAROLYN WHEATER, MONITORING OFFICER

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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