

**Present:** Councillor Pat Vaughan (*in the Chair*),  
Councillor Loraine Woolley, Councillor Alan Briggs,  
Councillor Martin Christopher and Councillor  
Adrianna McNulty

**Apologies for Absence:** Ian Cullen, Rob Cuffling and George Addlesee

**27. Confirmation of Minutes - 3 October 2024**

RESOLVED that the minutes of the meeting held on 3 October 2024 be confirmed as a true record.

**28. Declarations of Interest**

No declarations of interest were received.

**29. 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.

**30. To Interview An Existing Driver Who Has A Conviction For Using A Mobile Or Handheld Device While Driving: Item No: 18/2024**

The Licensing Officer:

- a) advised of the reason for this hearing to determine whether the licence holder was a fit and proper person to continue to hold a private hire driver's licence
- b) reported that Members must approach this matter bearing in mind the objectives of this licensing regime which was intended, among other things, to ensure so far as possible that those licensed to drive private hire vehicles were suitable persons to do so, namely that they were safe drivers with good driving records and adequate experience, sober, mentally and physically fit, honest, and not persons who would take advantage of their employment to abuse or assault passengers
- c) added that it was right to regard a licence holder as fit and proper if adequate evidence of good character and record was adduced and there was no reason to question or doubt it
- d) referred to the determined policy to be applied to licence holders developed to set-out a range of robust measures to protect taxi and private hire vehicle passengers, particularly those most vulnerable; the onus was on the licence holder to explain to the Sub-Committee why it should depart from its policy

- e) confirmed that the question to be answered by the Sub-Committee was, "Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?", and that if, on the balance of probabilities, the answer to the question was 'no', the individual should not hold a licence
- f) confirmed provisions contained within the Hackney Carriage and Private Hire Licensing Policy
- g) requested that Members provide full and frank reasons for their decision within the decision notice to be issued to the licence holder.

The Sub-Committee asked the licence holder appropriate questions to determine whether he was a fit and proper person to continue to hold a private hire driver's licence.

The licence holder had been informed in a letter that he could take legal advice about this matter and that he could bring an interpreter to the hearing however he had chosen to come alone.

RESOLVED that:

- a) The licence holder's private hire driver's licence be suspended for one year.
- b) By the end of the suspension period the licence holder must have undertaken and passed an appropriate driving course to be determined by the Licensing Team Leader.
- c) The licence holder must also undergo a further DVLA check at the end of the year's suspension.
- d) A strongly worded warning letter be sent to the licence holder regarding the severity of his convictions, the importance of adhering to the conditions of his licence and his future conduct specifically in the receipt of any new convictions or endorsements and/or any breaches of legislation or conditions of licence.