

**Present:** Councillor Pat Vaughan (*in the Chair*), Councillor Fay Smith, Councillor Lorraine Woolley

**Apologies for Absence:** Councillor Andy Kerry, Councillor Adrianna McNulty

**Confirmation of Minutes**

The minutes of the meeting held on 1 February 2018 were confirmed.

**Declarations of Interest**

No declarations of interest were received.

**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.

**To Interview an Existing Driver who has received 12 current penalty points [04/2018]**

The Licensing Officer:

- a. presented the report which detailed that the license holder has held a private hire drivers licence since September 2008 and was granted a 3 year licence in June 2016
- b. confirmed that it came to the licensing team's attention on Tuesday 27<sup>th</sup> February 2018 that the license holder had received 12 penalty points and they are currently on the licence holder's licence and the team were not aware of this
- c. explained that the Licence Holder has come before the committee before in respect of penalty points and failing to declare them on two occasions previously
- d. explained that the Licence Holder has previously undertaken a speed awareness course
- e. explained that the DVLA had confirmed that those who accumulate 12 penalty points do not necessary have to attend Court as it is at the police's discretion

**The decision was made as follows:**

To the revoke the Licence and the Licence Holder be recommended not to re-apply for his Licence within two years of the date of this hearing

### Reasons for the decision:-

- The Sub-Committee noted the Licence Holder's statement that he is a more careful driver now and has learnt his lesson.
- They noted that the Licence Holder has said that he was waiting for his licence to come back and didn't know his licence had 12 penalty points
- The members felt that the Licence Holder should have been aware of the procedure to report any penalty having signed the application form and then re-licence forms and is then provided with the standard conditions
- In particular the Licence Holder signed the standard conditions and provided a copy of this document on 29 June 2016, which was at the time he received the 12 penalty points
- The members noted that the Licence Holder has been before the sub-committee previously on two occasions
- The Sub-Committee were concerned that there were three incidences of being caught speeding and another offence within 5 months, that he had attended a speed awareness course and there may have been passengers in the vehicle
- A serious concern is that out of the four recent sets of points he admitted that he notified the team in June 2016 about one set of points; however the others were not reported to the Council, despite having admitted that he had received the notification of the penalty points and paid the appropriate fines.
- The Sub-Committee agreed that it would be recommended to the Licence Holder not to apply for a new Licence from the council, until at least 2 years have lapsed, in accordance with the council's policy
- The Sub-Committee felt strongly that the Licence Holder has a responsibility to his passengers and needs to be fit and proper. Through him acquiring 12 penalty points, after being on a speed awareness course and before the Sub-Committee twice, he has not demonstrated that he is fit and proper.