

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

**Apologies for Absence:** None.

**14. Confirmation of Minutes - 5 November 2020**

RESOLVED that the minutes of the meeting held on 5 November 2020 be confirmed.

**15. Declarations of Interest**

No declarations of interest were received.

**16. 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.

**17. To Interview an Applicant for a re-licence of a Private Hire Driver's Licence who has 9 current Penalty Points (Item No 01/2021)**

The Licensing Officer:

- a) provided a report to determine whether the licence holder was a fit and proper person to continue to hold a private hire driver's licence following 9 valid penalty points on his driving licence
- b) stated that the licensee had held a licence since February 2010
- c) explained that the licensee made an application for a re-licence on 8 February 2021 and declared that he had received 2 driving convictions and received a total of 9 penalty points in 2019
- d) alerted the Sub Committee to the current Hackney Carriage and Private Hire Licensing Policy which stated the following in relation to penalty points and taking a stepped approach to driver licence enforcement: *'If a driver receives 9 or more penalty points for minor or some hybrid traffic offences, the matter will be referred to the Hackney Carriage and Private Hire Sub-Committee for a hearing. The driver will be expected to address the issues before the Sub-Committee.'*

The Decision was made as follows:

That the Private Hire Driver's Licence be granted subject to the applicant being issued with a warning letter regarding his responsibilities as a driver and the

conditions of the licence, with a particular emphasis on the dangers of driving while using a mobile phone.

Reasons for the Decision:

The Sub-Committee was satisfied that the applicant was a fit and proper person to hold the licence. In reaching the decision the Sub-Committee considered that:

1. The applicant had demonstrated that he was aware of the seriousness of the driving offences he had committed and the importance of future compliance.
2. The applicant's two offences had occurred during a period of three months in 2019 after which he had not committed any further offences.
3. Having regard to the type of offences disclosed (relating to driving without due care and attention, and the use of a mobile phone while driving), the applicant's explanation of the circumstances surrounding those offences offered some reassurance to the Sub-Committee that the offences did not indicate a pattern of behaviour which would pose a risk to the travelling public.
4. The issue of a warning letter was a proportionate reminder of the importance of safe driving.