

**LICENSING SUB-COMMITTEE
10TH APRIL 2024**

MEMBERS: The Chair (Councillor Worrall)

Councillors Lowe and Northage

1. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

No disclosures were made.

2. EXEMPT INFORMATION

The Sub-committee was content that members of the public be excluded from the meeting during the consideration of the following item on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

3. INTRODUCTIONS AND PROCEDURE FOR MEETING

All present introduced themselves. The procedure for the meeting was included in the agenda papers.

4. REVIEW OF DRIVER'S LICENCE IN ACCORDANCE WITH HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Considered an exempt report of the Licensing Manager to review a Driver's Licence in accordance with the Council's Hackney Carriage and Private Hire Licensing Policy (item 4 on the agenda filed with these minutes).

The following parties/officers attended:

Head of Regulatory and Community Safety
Licensing Officer (RC)
Licensing Enforcement Officer (PR)

The Driver

Legal Advisor to the Sub-committee (Fiona Samuda)
Democratic Services Officer (LS)

The Head of Regulatory and Community Safety presented the exempt report. It was confirmed that a renewed DVLA licence had now been presented. In response to a question from a member of the Sub-committee, clarification was given regarding when points on the Driver's Licence would be removed/become inactive. There were no further questions to the Head of Regulatory and Community Safety from the other parties present.

The Driver was given the opportunity to present his case. He answered several questions from the Legal Advisor to the Sub-committee relating to his recollection of offences and receipt of correspondence from the Council, also his awareness of the requirements of the Council's Hackney Carriage and Private Hire Licensing Policy. There were no other questions to him from the other parties present. The Driver was also given the opportunity to make a closing statement but had nothing else he wished to add.

All were content that the procedure for the meeting had been followed and that all parties had had the opportunity to state their case and ask questions of the other parties present.

The Sub-committee gave the matter full and detailed consideration in private so as to come to a decision, accompanied by the Legal Advisor (for the purposes only of advising on the law and on suitable wording for the Sub-committee's decision). The Democratic Services Officer also attended this part of the meeting.

On return to the meeting by all parties, the Legal Advisor read out the Licensing Sub-committee's decision on its behalf. The Driver would be sent the decision in writing. The right of appeal to the Magistrates Court was outlined.

RESOLVED

1. that the Driver be deemed as fit and proper to continue to hold a Driver's Licence;
2. that the Driver be issued with a formal warning as to future conduct;
3. that the Driver note that any future offence/breach would be likely to result in him coming back before the Sub-committee and his Driver's Licence being revoked;
4. that the Driver notes that points currently on his Driver's Licence remain in place.

Reason

The Sub-committee considered carefully the evidence submitted and what action would be appropriate, concluding that the action set out above was appropriate. Having made its decision, the Sub-committee also advised the Driver that he should ensure that he was aware of all the requirements on him as a holder of a Driver's Licence and to seek support with that if needed.