# LICENSING SUB-COMMITTEE (TRAFFIC MATTERS)

MEETING, 27TH AUGUST, 2019

Present – Councillors Donaghy, Flitcroft, Haslam and Morris

An apology for absence was submitted on behalf of Councillor P. Wild (Chairman)

## 4. APPOINTMENT OF CHAIRMAN

Resolved – That in the absence of the Chairman, Councillor Haslam be appointed Chairman of this Sub-Committee for the purposes of this meeting only.

Councillor Haslam here took the Chair

## 5. MINUTES OF PREVIOUS MEETING

The minutes of the proceedings of the meeting of the Sub-Committee held on 30th July, 2019 were submitted and signed as a correct record.

## 6. EXCLUSION OF PRESS AND PUBLIC

Resolved – That, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as specified in paragraph 3 (financial and business affairs) of Part 1 of Schedule 12A to the Act; and that it be deemed that, in all the circumstances of the case, the public interest in its exemption outweighs the public interest in its disclosure.

## 7. APPLICATIONS FOR RENEWAL AND MISCONDUCT BY LICENSED PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS

The Director of Place submitted a report which provided details of private hire and hackney carriage drivers who had been convicted of offences during the period of their licence.

Resolved:- **(i) LERC/16/19 – the driver did not attend the meeting**

That in respect of report numbered LERC/16/19, consideration of the matter be deferred for consideration to the next meeting of the Committee to enable the driver to attend. The matter would be considered whether the driver was present or not.

**(ii) LERC/17/19 – the driver and his representative attended the meeting**

That, in respect of report numbered LERC/17/19, a warning letter be issued to the driver advising him of the dangers of not being insured and that he was putting himself and the public at risk.

**(iii) LERC/18/19 – the driver had put in a formal request for consideration of the matter to be deferred to the next meeting in order for his legal representative to attend.**

In respect of application numbered LERC/18/19, consideration of the report be deferred to the next meeting of this Sub-Committee to enable the driver to be legally represented. The matter would be considered whether the driver was present or not.

**(iv) LERC/19/19 – the driver and his wife attended the meeting.**

The matter was considered at the meeting of this Sub-Committee on 30th July, 2019 when the Sub-Committee deferred its consideration pending the receipt of further information on the matters detailed (Minute 3 (iii) refers).

That, in respect of report numbered LERC/19/19, the licence to drive a private hire vehicle be suspended for a period of 12 weeks on the grounds that the driver is not a fit and proper person to hold such a licence at this time.

In coming to its decision, the Sub-Committee was mindful of its duty to protect the public and the offence from January, 2018 of failing to give information as to the identity of the driver resulting in a significant fine and penalty points is a major offence under the Council's policy.

It was acknowledged that the conviction had been declared by the driver in accordance with the terms and conditions of his licence.

The Sub-Committee was also made aware of two complaints which were recorded on the driver's licence which related to allegations of overcharging a passenger in June, 2016 and an allegation that the driver made an illegal U-turn on a public road in April 2018. No further action had been taken in respect of either of the complaints.

The Sub-Committee heard the driver's explanation of events that led up to the offence in January, 2018. He admitted that he had received the request for information but had failed to respond to the Police request at that time as he considered that he had not committed a speeding offence.

Members were concerned that the driver had been using the vehicle as a taxi at the time of the speeding incident.

Members also referred to the second complaint which the driver admitted to and were concerned that making an illegal U-turn on Bradford Street was an extremely dangerous manoeuvre and could have put himself and other members of the public in danger.

There was therefore reasonable cause to suspend the licence as a warning and a deterrent.

(The meeting started at 12.30pm and finished at 1.50pm)