

**LICENSING AND ENVIRONMENTAL REGULATION  
COMMITTEE**

MEETING, 24<sup>th</sup> APRIL, 2012

Present – Councillors Lord (Chairman), Jones (Vice-Chairman), J. Byrne, Connell, Mrs. Fairclough, Greenhalgh, Kay, Mistry, Peacock, Shaw, Sherrington, Silvester, P. Wild and Woodward.

An apology for absence was submitted on behalf of Councillor D. Wilkinson.

Councillor Lord in the Chair.

(Items marked with an asterisk are submitted for information only)

**90. MINUTES**

The minutes of the proceedings of the meeting of the Committee held on 12<sup>th</sup> April, 2012 were submitted and signed as a correct record.

**91. 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 it involves 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.

**\*92. COMPLAINT AGAINST A LICENSED PRIVATE HIRE  
DRIVER**

The Director of Environmental Services submitted a report which detailed two separate complaints which had been made by two members of the public against a licensed private hire driver.

The Committee heard representations from the driver.

Resolved – That on considering the evidence put forward by the driver and the written statements provided by two complainants, in respect of two separate incidents, the Committee on the balance of probabilities found that the allegations referred by the complainants had occurred namely that the driver:

- had been obstructive and abusive;
- despite refunding the passenger he had overcharged her in the first instance; and
- was not remorseful for his actions.

and the Committee considered that the driver did not act as a fit and proper person and in the circumstances it is necessary to impose a sanction of four weeks suspension of the private hire driver's licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

### **\*93. COMPLAINT AGAINST A LICENSED PRIVATE HIRE DRIVER**

The Director of Environmental Services submitted a report which detailed two separate complaints which had been made by two members of the public against a licensed private hire driver.

The Committee heard representations from the driver and the complainants.

Resolved – That on considering the evidence put forward by the driver and the statements provided by the two complainants, in respect of two separate incidents, the Committee on the balance of probabilities found that the allegations referred by the complainants had occurred namely that the driver:

- had been unhelpful, obstructive and verbally abusive

And the Committee considered that the driver did not act as a fit and proper person and in the circumstances it is necessary to impose a sanction of four weeks suspension of the private hire driver's licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

**\*94. COMPLAINT AGAINST A LICENSED DRIVER**

The Director of Environmental Services submitted a report which detailed a complaint which had been made by a member of the public against a licensed private hire driver.

The driver and the complainant attended the meeting.

Resolved – That the Committee preferred the evidence of the complainant to that of the driver and on the balance of probabilities found that the allegation made had occurred namely the driver:-

- had overcharged the passenger; and
- based on the evidence provided he did pick up and drop off the passenger in question despite him denying this.

And the Committee considers that the driver did not act as a fit and proper person and in the circumstances it is necessary to revoke the private hire driver's licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

(The meeting started at 4.00 p.m. and finished at 7.00 p.m.)