

LICENSING SUB-COMMITTEE (TRAFFIC MATTERS)

MEETING, 12th DECEMBER, 2014

Present – Councillors Jones (Chairman), D. Burrows, Chadwick and Wild.

Apologies for absence were submitted by Councillors L. Byrne, Mrs Fairclough and Haslam.

Councillor Jones, Chairman.

11. MINUTES OF THE LAST MEETING

The minutes of the proceedings of the meeting of the Sub-Committee held on 30th October, 2014 were submitted and signed as a correct record.

12. 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.

13. MISCONDUCT BY LICENSED PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS

The Director of Environmental Services submitted a report which provided details of four drivers who had been convicted of offences during the period of their licences.

The drivers in relation to reports, LERSC/08/14(a), LERSC/08/14(b), LERSC/08/14(c) and LERSC/08/14(d) attended the meeting.

Resolved – (i) That in respect of report numbered LERSC/08/14 (a) the licence to drive a private hire vehicle be suspended for a period of two weeks on the basis that the Sub-Committee are not satisfied that he is a fit and proper person to hold 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 of exceeding the speed limit on a motorway from April, 2014 is an intermediate traffic offence under the Council's Policy. The driver had also previously been warned by the Licensing and Environmental Regulation Committee concerning exceeding the speed limit.

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

(ii) That in respect of report numbered LERSC/08/14 (b) the licence to drive a private hire vehicle be suspended for a period of four weeks on the basis that the Sub-Committee are not satisfied that he is a fit and proper person to hold 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 of using a vehicle uninsured against third party risks from August, 2014 is a serious traffic offence under the Council's Policy.

The driver also failed to declare the conviction in accordance with the conditions of his licence.

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

(iii) That in respect of report numbered LERSC/08/14 (c) the licence to drive a hackney carriage vehicle be suspended for a period of two weeks on the basis that the Sub-Committee are not satisfied that he is a fit and proper person to hold 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 of using a vehicle with defective tyres from September, 2014 is an intermediate traffic offence under the Council's Policy. Drivers have a duty to maintain their vehicles properly.

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

(d) That in respect of report numbered LERSC/08/14 (d) the licence to drive a private hire vehicle be suspended for a period of five weeks on the basis that the Sub-Committee are not satisfied that he is a fit and proper person to hold 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 of exceeding the speed limit on a public road from February, 2014 was a minor traffic offence under the Council's Policy.

The driver also failed to declare the conviction in accordance with the conditions of his licence.

This was also the second time this year that the driver had attended before this Sub-Committee owing to an offence.

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

(The meeting started at 10.00am and finished at 11.12am)