

LICENSING REGULATION COMMITTEE (TRAFFIC MATTERS)

MEETING, 20TH DECEMBER, 2021

Present – Councillors Flitcroft (Chairman), Dean, Haslam, Haworth and Khurram.

Councillor Flitcroft in the Chair

1. MINUTES OF PREVIOUS MEETING

The minutes of the proceedings of the meeting of the Committee held on 23rd March, 2021 were submitted and signed as a correct record.

2. 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.

3. 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.

(a) SCTO/08/2021 – the driver and his representative attended the meeting.

It was moved by Councillor Khurram and Seconded by Councillor Haslam that the application be granted, subject to the standard conditions but with the addition of the issuing of a warning letter to the applicant regarding his duty to declare any convictions in accordance with the conditions of his licence.

For the Motion, Viz –

Councillors Flitcroft, Dean, Haslam, Haworth and Khurram.

Against the Motion, Viz –

Nil.

Abstain, Viz –

Nil.

Whereupon the motion was declared carried.

(b) SCTO/09/2021 – the driver attended the meeting.

It was moved by Councillor Haworth and Seconded by Councillor Khurram that the application to renew a private hire vehicle licence be renewed but the applicant be issued with a three week suspension from driving for the serious major motoring offence of driving with no insurance.

For the Motion, Viz –

Councillors Flitcroft, Dean, Haslam, Haworth and Khurram.

Against the Motion, Viz –

Nil.

Abstain, Viz –

Nil.

Whereupon the motion was declared carried and it was specifically resolved –

that the application to renew a private hire vehicle licence be renewed but the applicant be issued with a three week suspension from driving for the serious major motoring offence of driving with no insurance.

In coming to its decision, the Sub-Committee was mindful of its duty to protect the public and the offence from October, 2020 of using a vehicle uninsured against third party risk is a serious major motoring offence under the Council's Policy.

Drivers have a duty to adhere to the law and in not doing so can be a danger to the public.

There is therefore reasonable cause to renew but suspend the applicant's private hire drivers licence for a period of three weeks.

(c) SCTO/10/2021 – the driver attended the meeting.

It was moved by Councillor Khurram and Seconded by Councillor Haslam that the application to renew a private hire vehicle licence be deferred pending more enquiries into who was driving at the time of the incident.

For the Motion, Viz –

Councillors Flitcroft, Haslam and Khurram.

Against the Motion, Viz –

Councillor Haworth

Abstain, Viz –

Nil.

Whereupon the motion was declared carried.

(d) SCTO/11/2021 – the driver attended the meeting.

It was moved by Councillor Khurram and Seconded by Councillor Flitcroft that the licence to drive private hire vehicles be suspended for a period of one week.

For the Motion, Viz –

Councillors Flitcroft, Haslam, Haworth and Khurram.

Against the Motion, Viz –

Nil.

Abstain, Viz –

Nil.

Whereupon the motion was declared carried and it was specifically resolved –

that the licence to drive private hire vehicles be suspended for a period of one week.

In coming to its decision, the Sub-Committee was mindful of its duty to protect the public and also took into account -

- The minor traffic offence of exceeding the speed limit from March, 2018;
- The intermediate traffic offence of using a vehicle with a defective tyre from November, 2019;

- Breaching the conditions of his licence in respect of not declaring the above two offences in respect of the conditions of his licence; and
- Using the vehicle with a defective tyre from May, 2020 and the suspension of the licence at the compliance inspection.

Drivers have a duty to adhere to the law and in not doing so can be a danger to the public.

There is therefore reasonable cause to suspend the private hire drivers licence for a period of one week.

(The meeting started at 10.00am and finished at 11.42am)