

**LICENSING AND ENVIRONMENTAL REGULATION  
COMMITTEE**

MEETING, 6<sup>TH</sup> APRIL, 2021

Present – Councillors Mrs Fairclough (Chairman), Dean (Vice-Chairman), Allen, Flitcroft, Galloway, Haworth, Khurram, Morris and Newall.

Councillor Mrs Fairclough, Chairman

**33. MINUTES OF LAST MEETING**

Resolved – That the minutes of the proceedings of meetings held on 9<sup>th</sup> and 23<sup>rd</sup> March, 2021 be submitted and signed as a correct record.

**34. EXCLUSION OF PRESS AND PUBLIC**

Resolved – That, under Section 100(A) (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.

**35. MISCONDUCT BY LICENSED PRIVATE HIRE DRIVER  
LER/08/21**

The Director of Place submitted a report which set out details of alleged misconduct in relation to a driver licensed to drive private hire vehicles.

The driver attended the meeting.

The report set out details of the alleged misconduct.

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It was moved by Councillor Haworth and Seconded by Councillor Galloway that the licence to drive private hire vehicles be suspended for a period of seven weeks.

### For the Motion, Viz –

Councillors Haworth, Khurram, Morris, Galloway, Mrs. Fairclough, Newall and Flitcroft.

### Against the Motion, Viz –

Councillor Allen

### Abstain, Viz –

Nil.

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

That the licence to drive a private hire vehicle be suspended for a period of seven weeks on the basis that the Committee are not satisfied that the driver is a fit and proper person to hold a licence.

Following consideration of all the evidence, the Committee noted the complaints and the driver admitted losing patience. Drivers are in a position of trust and have a duty to conduct themselves in a lawful and professional manner at all times.

The Committee also took account of the following –

- The driver's caution for Public Order Section 4(1) Public Order Act 1986;
- The complain from a member of the public about the inappropriate behaviour of the driver and that he was carrying a hammer;
- The driver admitted losing patience and hammering on the wall but denied this was for 20 minutes and denied hitting the lady;

- Matters concerning the Council's Statement of Fitness and Suitability.

Members of the public, the elderly, infirm and children or vulnerable adults entrust their personal safety and wellbeing to private hire drivers whenever they take a journey. Passengers often travel alone and are vulnerable to inappropriate behaviour.

The Committee's primary duty is of concern for the safety and wellbeing of the public.

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

### **36. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE VEHICLE LICENCE LER/09/21**

The Director of Place submitted a report which set out details of an application for the grant of a hackney carriage vehicle licence where the previous licence had expired.

The applicant and his representative attended the meeting.

It was moved by Councillor Khurram and Seconded by Councillor Haworth that the application be granted, finding that there are exceptional circumstances.

For the Motion, Viz –

Councillors Haworth, Khurram, Morris, Dean, Galloway, Mrs. Fairclough, Newall, Flitcroft and Allen.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil.

Whereupon the motion was declared carried.

**38. APPLICATION FOR THE GRANT OF A HACKNEY  
CARRIAGE VEHICLE LICENCE LER/10/21**

The Director of Place submitted a report which set out details of an application for the grant of a hackney carriage vehicle licence where the previous licence had expired.

The applicant and his representative attended the meeting.

It was moved by Councillor Haworth and Seconded by Councillor Flitcroft that the application be granted as a renewal, finding that there are exceptional circumstances.

For the Motion, Viz –

Councillors Haworth, Khurram, Morris, Dean, Galloway, Mrs. Fairclough, Newall, Flitcroft and Allen.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil.

Whereupon the motion was declared carried.

The meeting started at 2.00pm and finished at 3.40 pm)