

LICENSING SUB- COMMITTEE

MEETING, 21st MARCH, 2013

Present – Councillors Jones (Chairman), Evans, Mrs. Fairclough, Greenhalgh and Kay.

Councillor Jones in the Chair.

6. MINUTES OF THE LAST MEETING

The minutes of the proceedings of the meeting of the Sub - Committee held on 21st February, 2013 were submitted and signed as a correct record.

7. 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.

2. MISCONDUCT BY LICENSED PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS

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

The drivers in relation to reports ,
LERSC/03/13(b), LERSC/03/13(c), LERSC/03/13(d),
LERSC/03/13(e), LERSC/03/13(h), LERSC/03/13(i),

LERSC/03/13(j), LERSC/03/13(k) and LERSC/03/13(l) attended the meeting.

Resolved – (i) That in respect of report numbered LERSC/03/13(a) the licence to drive a private hire vehicle be suspended until the driver attends a meeting of this Committee on the basis that the 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 Committee was mindful that this was the second occasion that the driver had failed to attend a meeting and the offence was an intermediate traffic offence under the Council's policy.

(ii) That in respect of report numbered LERSC/03/13(b) no action be taken in relation to his licence to drive a private hire vehicle but a letter of warning be issued covering the issue of the use of a mobile telephone whilst driving.

(iii) That in respect of report numbered LERSC/03/13(c) the licence to drive a private hire vehicle be suspended for a period of three weeks on the basis that the 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 Committee is mindful of its duty to protect the public and the offence from April, 2012 is an intermediate traffic offence under the Council's Policy. Use of a mobile telephone whilst driving is a danger to the public and higher standards are expected of drivers. The driver also failed to declare the conviction in accordance with the conditions of his licence. There is reasonable cause to suspend the driver's licence as a warning and deterrent.

(iv) That in respect of report numbered LERSC/03/13(d) the licence to drive a private hire vehicle be suspended for a period of one week on the basis that the Committee are not satisfied that he is a fit and proper person to hold a licence at this time.

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In coming to its decision, the Committee is mindful of its duty to protect the public and the speeding offence from November, 2012 is an intermediate traffic offence under the Council's Policy and comes against a background of previous speeding offences. The driver also failed to declare the conviction in accordance with the conditions of his licence. The Committee did though take account of the drivers explanation. There is reasonable cause to suspend the driver's licence as a warning and deterrent.

(v) That in respect of report numbered LERSC/03/13(e) the licence to drive a private hire vehicle be suspended for a period of one week on the basis that the 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 Committee is mindful of its duty to protect the public and the speeding offence from July, 2012 is a minor traffic offence under the Council's Policy. The offence comes against a background of a previous speeding offence. The driver also failed to declare the conviction in accordance with the conditions of his licence, although the Committee did take particular note of the explanation given in this regard. There is reasonable cause to suspend the driver's licence as a warning and deterrent.

(vi) That in respect of report numbered LERSC/03/13(f) consideration of this matter be deferred until a future meeting of this Committee.

(vii) That in respect of report numbered LERSC/03/13(g) consideration of this matter be deferred until a future meeting of this Committee.

(viii) That in respect of report numbered LERSC/03/13(h) the licence to drive a private hire vehicle be suspended for a period of one week on the basis that the Committee are not satisfied that he is a fit and proper person to hold a licence at this time.

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In coming to its decision, the Committee is mindful of its duty to protect the public and the speeding offence from May, 2012 is a minor traffic offence under the Council's Policy. The offence comes against a background of a previous speeding offences. The driver also failed to declare the conviction in accordance with the conditions of his licence. There is reasonable cause to suspend the driver's licence as a warning and deterrent.

(ix) That in respect of report numbered LERSC/03/13(i) no action be taken in relation to his licence to drive a private hire vehicle but a letter of warning be issued regarding future compliance with the Council's convictions reporting procedure.

(x) That in respect of report numbered LERSC/03/13(j) the licence to drive a private hire vehicle be suspended for a period of two weeks on the basis that the 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 Committee is mindful of its duty to protect the public and the offence from October, 2012 is an intermediate traffic offence under the Council's Policy. Use of a mobile telephone whilst driving is a danger to the public and higher standards are expected of drivers. The driver also failed to declare the conviction in accordance with the conditions of his licence. There is reasonable cause to suspend the driver's licence as a warning and deterrent.

(xi) That in respect of report numbered LERSC/03/13(k) no action be taken in relation to his licence to drive a private hire vehicle but a letter of warning be issued in relation to the issue of speeding.

(xii) That in respect of report numbered LERSC/03/13(L) the licence to drive a private hire vehicle be suspended for a period of three weeks on the basis that the 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 Committee is mindful of its duty to protect the public and the offence from July, 2012 is an

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intermediate traffic offence under the Council's Policy. Use of a mobile telephone whilst driving is a danger to the public and higher standards are expected of drivers. The driver failed to declare the conviction in accordance with the conditions of his licence and also failed to attend a previous meeting of this Committee. There is reasonable cause to suspend the driver's licence as a warning and deterrent.

(The meeting started at 5.30pm and ended at 8.10pm)