

## **LICENSING SUB-COMMITTEE (TRAFFIC MATTERS)**

MEETING, 28TH JULY, 2015

Present – Councillors Donaghy (Chairman), Chadwick, Graham (as deputy for Councillor C. Burrows), Hall (as deputy for Councillor Haslam) and Wild.

Councillor Donaghy, Chairman.

### **1. MINUTES OF THE LAST MEETING**

The minutes of the proceedings of the meeting of the Sub-Committee held on 9<sup>th</sup> February, 2015 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 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.

### **3. MISCONDUCT BY LICENSED PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LERSC/03/15**

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/03/15(a), LERSC/03/15(b), LERSC/03/15(c) and LERSC/03/15(f) attended the meeting.

Resolved – (i) That in respect of report numbered LERSC/03/15 (a) no further action be taken in relation to the

licence to drive a private hire vehicle but a warning letter be issued to the driver regarding the need to take more care regarding traffic light signals and in relation to the need to report convictions on time.

(ii) That in respect of report numbered LERSC/03/15 (b) no further action be taken in relation to the licence to drive a private hire vehicle.

(iii) That in respect of report numbered LERSC/03/15 (c) no further action be taken in relation to the licence to drive a private hire vehicle but a warning letter be issued to the driver regarding the need to take more care regarding traffic light signals and in relation to the need to report convictions on time.

(iv) That consideration of report numbered LERSC/03/15(d) be deferred until the next meeting of this Sub-Committee.

(v) That in respect of report numbered LERSC/03/15 (e) no further action be taken in relation to the licence to drive a private hire vehicle.

(vi) That in respect of report numbered LERSC/03/15 (f) the licence to drive a private hire vehicle be suspended for a period of one month 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, from January, 2015 of driving with a defective tyre was an intermediate traffic offence under the Council's Policy. Drivers have a duty to maintain their vehicles properly at all times and driving with defective tyres can be a real danger to public safety.

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

#### **4. MISCONDUCT BY LICENSED PRIVATE HIRE DRIVER LERSC/02/15**

The Director of Environmental Services submitted report which set out details of an allegation of misconduct against a private hire driver.

The driver and his representative attended the meeting.

Resolved - That in respect of report numbered LERSC/02/15 the licence to drive a private hire vehicle be suspended until the renewal of the licence on 29<sup>th</sup> October, 2015 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, from December, 2014 was one of carrying more passengers than the licence permits. Drivers have a duty to adhere to the conditions of their licence and carrying more passengers than permitted can be a danger to public safety. There were also not enough seat belts for the passengers concerned.

This comes against a background of previous offences and two appearances before this Sub-Committee and the driver seems to have a disregard for regulations and conditions of operating.

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

(The meeting started at 12.30pm and finished 2.10pm)