

## **LICENSING SUB- COMMITTEE**

MEETING, 14<sup>th</sup> MAY, 2014

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

Apologies for absence were submitted on behalf of Councillors Greenhalgh and Kay

Councillor Jones in the Chair.

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

The minutes of the proceedings of the meeting of the Sub - Committee held on 2<sup>nd</sup> April, 2014 were submitted and signed as a correct record.

### **25. 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.

### **26. MISCONDUCT BY LICENSED PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS**

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

The drivers in relation to reports, LERSC04/14(a), LERSC/04/14(b), LERSC/04/14(c), LERSC/04/14(d), LERSC/04/14(e), LERSC/04/14(f),

LERSC/04/14(g) and LERSC/04/14(h) attended the meeting.

Resolved – (i) That in respect of report numbered LERSC/04/14(a) the licence to drive a private hire vehicle be suspended for a period of one week 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 February, 2013 of driving otherwise than in accordance with a licence was 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 reasonable cause to suspend the driver's licence as a warning and deterrent.

(ii) That in respect of report numbered LERSC/04/14(b) no further action be taken but a warning letter be issued to the driver regarding the need to keep to the statutory speed limits. The Sub-Committee did though note that the driver did report the offence in accordance with the conditions of his licence.

(iii) That in respect of report numbered LERSC/04/14(c) no further action be taken but a warning letter be issued to the driver regarding the need to keep to the statutory speed limits. The Sub-Committee did though note that the driver did report the offence in accordance with the conditions of his licence.

(iv) That in respect of report numbered LERSC/04/14(d) 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 from December, 2012 which was an intermediate traffic offence under the Council's Policy. The driver also had a history of speeding offences and had attended a speed awareness course five years ago. The

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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.

(v) That in respect of report numbered LERSC/04/14(e) the licence to drive a private hire vehicle be suspended for a period of one week 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 February, 2013 was an intermediate traffic offence under the Council's Policy. The driver had also been before the Sub-Committee in May, 2013 when no further action was taken. 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.

(vi) That in respect of report numbered LERSC/04/14(f) no further action be taken but a warning letter be issued to the driver regarding the need to keep to the statutory speed limits and also in terms of the need to report convictions on time in accordance with the conditions of the driver's licence.

(vii) That in respect of report numbered LERSC/04/14(g) 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 from June, 2013 of driving without due care and attention was an intermediate traffic offence under the Council's Policy. The driver also failed to declare the conviction in accordance with the conditions of his licence.

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There is reasonable cause to suspend the driver's licence as a warning and deterrent.

(viii) That in respect of report numbered LERSC/04/14(h) the licence to drive a private hire vehicle be suspended for a period of one week 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 offences from August and December, 2013 of exceeding the statutory speed limit on a public road were minor traffic offences under the Council's Policy. 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.

(The meeting started at 5.30pm and ended at 6.55pm)