

**LICENSING AND ENVIRONMENTAL REGULATION
COMMITTEE**

MEETING, 3rd NOVEMBER, 2020

Present – Councillors Mrs Fairclough (Chairman), Dean (Vice-Chairman), Fletcher, Flitcroft, Gibbon, Haworth, Mistry (as Deputy for Councillor Morris) and Newall.

Councillor Mrs Fairclough, Chairman

14. MINUTES OF LAST MEETING

Resolved – That the minutes of the proceedings of the meeting held on 8th September, 2020 were submitted and signed as a correct record.

15. 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.

**16. APPLICATION FOR THE GRANT OF A HACKNEY
CARRIAGE VEHICLE LICENCE LER/17/20**

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

The applicant attended the meeting and provided verbal evidence.

C2

It was moved by Councillor Haworth and Seconded by Councillor Mistry that the grant of a hackney carriage vehicle licence be approved, finding that there are exceptional circumstances.

For the Motion, Viz –

Councillors Haworth, Mistry, Dean, Fletcher, Mrs. Fairclough, Newall, Flitcroft and Gibbon.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil.

Whereupon the motion was declared carried.

17. MISCONDUCT BY LICENSED PRIVATE HIRE DRIVER LER/18/20

The Director of Place submitted a report which gave details of alleged misconduct by a driver licensed to drive private hire vehicles.

The report outlined the full details of the misconduct.

The driver and his representative attended the meeting and provided verbal evidence.

It was moved by Councillor Newall and seconded by Councillor Fletcher that the Licence to drive private hire vehicles be revoked.

Whereupon an amendment was moved by Councillor Flitcroft and seconded by Councillor Mistry that the licence to drive private hire vehicles be suspended for a period of six months.

C3

Whereupon the amendment was put to the vote and the voting was as follows, viz –

For the Amendment, Viz –

Councillors Mistry, Dean and Flitcroft

Against the Amendment, Viz –

Councillors Haworth, Fletcher, Mrs. Fairclough, Newall and Gibbon

Abstain, Viz –

Nil

Whereupon the amendment was declared lost.

Whereupon the original motion was put to the vote and the voting was as follows, viz –

For the Motion, Viz –

Councillors Haworth, Fletcher, Mrs. Fairclough, Newall and Gibbon

Against the Motion, Viz –

Councillors Dean and Flitcroft

Abstain, Viz –

Councillor Mistry

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

That the licence to drive a private hire vehicle be revoked on the basis that the Committee are not satisfied that the driver is a fit and proper person to hold a licence.

C4

Following consideration of all the evidence, the Committee noted the many complaints of inappropriate behaviour. 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 –

- A series of eight complaints since February, 2019 demonstrating a pattern of aggressive and inappropriate language which the Committee found credible; and
- 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 revoke the private hire drivers licence.

(The meeting started at 2.00pm and finished at 4.15pm)