

LICENSING SUB-COMMITTEE (TRAFFIC MATTERS)

MEETING, 7th JUNE, 2016

Present – Councillors Donaghy (Chairman), Gillies (as deputy for Councillor Watters), Haslam, Murray (as deputy for Councillor Chadwick) and Wild.

Councillor Donaghy in the Chair.

1. MINUTES OF THE LAST MEETING

The minutes of the proceedings of the meeting of the Sub-Committee held on 31st March, 2016 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 LER/04/16

The Director of Place submitted a report which provided details of a private hire and hackney carriage driver who had been convicted of offences during the period of his licence.

The driver in respect of report LERSC/04/16 attended the meeting.

Resolved – (i) That in respect of report numbered LERSC/04/16 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. However, as a period of suspension had already been served due to the earlier decision of the Sub-Committee the licence be restored with immediate effect.

In coming to its decision the Sub-Committee reviewed its previous decision taken on 31st March, 2016 due to information/convictions put before the Sub-Committee being incorrect and resolved to impose a period of suspension of two weeks in substitution for its earlier decision to revoke the licence.

The Sub-Committee noted that there were four convictions dating from 2012 stated in the original report which did not exist and, therefore, were not for consideration by this Sub-Committee.

The driver accepted that the convictions contained in the revised report were correct.

The driver also circulated a written statement to the Sub-Committee. It was clarified at the meeting that in relation to point 5 in the statement, the Rehabilitation of Offenders Act 1974 was not relevant as it did not apply to taxi drivers.

The Sub-Committee was mindful of its duty to protect the public and the offences from June and August, 2015 of exceeding the speed limit on a public road are minor offences under the Council's policy.

Drivers have a duty to adhere to statutory speed limits at all times and exceeding the speed limits can be a real danger to public safety.

The driver also failed to declare the two latest speeding offences in accordance with the conditions of his licence.

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

(The meeting started at 12.30pm and finished 1.00pm)

