

Regulation and Review Committee Panel

18 July 2019

Present: Councillor J Stirling (Chair)
Councillors John Hunter, J Mole, T Mulvenna and J O'Shea

RQ06/7/19 Apologies for Absence

No apologies of absence were received.

RQ07/7/19 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ08/7/19 Exclusion Resolution

Resolved that under Section 100A (4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ09/7/19 Private Hire Vehicle Proprietor's Licence Appeal – Mr B

The Committee received a report which outlined the background to an appeal by Mr B against the decision of the Authority to refuse his application for a Private Hire Vehicle Proprietor's licence on the grounds that the Licensing Authority was not satisfied the vehicle was suitable to license, due to it being fitted with tinted glass which did not meet the specifications contained within the Hackney Carriage and Private Hire Licensing Policy.

Mr B attended the meeting and brought his vehicle for inspection by the Committee.

A Licensing Officer presented the report to the Committee which included relevant information from the Hackney Carriage and Private Hire Licensing Policy in relation to permitted light levels of vehicle windows. The appeal form submitted by Mr B was also included.

Members asked questions of the Licensing Officer. The Committee then inspected the vehicle.

Mr B then addressed the Committee and answered questions from Members.

Following a summing up from the Licensing Officer and Mr B, all parties left the meeting to enable consideration of the matter to be undertaken in private.

The options available to the Committee were:

- Uphold the appeal and agree to re-issue the licence; or
- Dismiss the appeal and refuse to re-issue the licence.

Resolved that (1) Mr B's appeal be dismissed and the licence not issued on the grounds that the vehicle (in relation to tinted windows) did not meet the specifications in the Hackney Carriage and Private Hire Licensing Policy and the overriding focus of the policy was public safety.

RQ10/7/19 Private Hire Drivers Licence Appeal – Mr A

The Committee considered a report that outlined the background to an appeal from Mr A following the revocation of his Private Hire Driver's Licence.

Mr A attended the meeting and was accompanied by his representative.

The Licensing Officer presented the report to the Committee which included information on the reasons for the revocation of Mr A's Licence and a copy of the appeal form. The Licensing Officer then answered questions from Members of the Committee and Mr A's representative.

Mr A's representative then addressed the Committee and answered questions from Members.

Following a summing up from the Licensing Officer and Mr A's representative both parties left the meeting room to enable consideration of the matter to be undertaken in private.

The options available to the Committee were:

- Uphold the appeal and agree to re-issue the licence; or
- Dismiss the appeal and refuse to re-issue the licence.

Resolved that Mr A's appeal be dismissed and his licence not re-issued on the grounds that the Committee was not satisfied that he was a fit and proper person to hold a licence.

RQ11/7/19 Private Hire Drivers Licence Referral – Mr B

The Committee considered a report which outlined the background to a referral relating to the holder of a Private Hire Drivers Licence, Mr B. The Committee was requested to assess Mr B's continued suitability to carry out the duties of a licensed driver.

Mr B attended the meeting.

The Licensing Officer presented the report to the Committee which included information on the reason for the referral and Mr B's criminal and licensing record.

The Licensing Officer then answered questions from Members of the Committee.

Following a summing up from the Licensing Officer and Mr B, both parties left the meeting room to enable consideration of the matter to be undertaken in private.

The options available to the Committee were to:

- take no action;
- issue a warning as to the driver's future conduct;
- suspend the driver's licence; or
- revoke the driver's licence.

RESOLVED that Mr B's licence be revoked as the Committee was no longer satisfied that he was a fit and proper person to hold a licence.

RQ12/7/19 Private Hire Drivers Licence Referral – Mr S

The Committee considered a report which outlined the background to a referral relating to the holder of a Private Hire Drivers Licence, Mr S. The Committee was requested to assess Mr S's continued suitability to carry out the duties of a licensed driver.

Mr S attended the meeting.

The Licensing Officer presented the report to the Committee which included information on the reason for the referral and Mr S's criminal and licensing record.

The Licensing Officer then answered questions from Members of the Committee.

Following a summing up from the Licensing Officer and Mr S, both parties left the meeting room to enable consideration of the matter to be undertaken in private.

The options available to the Committee were to:

- take no action;
- issue a warning as to the driver's future conduct;
- suspend the driver's licence; or
- revoke the driver's licence.

RESOLVED that Mr S's licence be revoked as the Committee was no longer satisfied that he was a fit and proper person to hold a licence.