

Licensing Sub Committee 1

2 November 2020 at 10.00am

Present: Councillor Allen (Chair)
Councillors Dhallu, E M Giles, O Jones and Mabena.

31/20 Minutes

The minutes of the meeting held on 21 September 2020 were confirmed as a correct record.

32/20 Exclusion of the Public

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order, 2006, relating to any individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Matters Delegated to the Sub Committee to consider Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Driver's/Vehicles/Operators Licensing related matters

33/20 Application for the Review of a Private Hire Driver's License in respect of Mr F D

Members considered an application for the review of a Private Hire Driver's License in respect of Mr F D.

Mr F D was present at the meeting, along with his friend Mr A for moral support, and confirmed he had received a copy of the report.

The Sub Committee was advised that Mr F D had received a 30 day disqualification from driving for exceeding the statutory speed limit and had failed to notify the Council of the offence and court proceedings.



Mr F D explained the circumstances surrounding the offence and informed members he had notified the licensing office of the offence after the Court hearing.

The Sub Committee was advised that Mr F D was speeding as his passengers were intoxicated, threatening to be sick and generally being unruly and trying to exit the vehicle. He stated that he was driving through a tunnel and wanted to reach a safe place to let his passengers out of the vehicle as quickly as possible.

The Sub Committee took advice from its Legal Advisor before adjourning to make a decision on the application.

Having considered all the information before them, the Sub Committee was minded to suspend the Private Hire Driver's Licence in respect of Mr F D for a period of 30 days.

The Council's guidelines classified the offence as a minor Road Traffic Offence and action taken was dependent on the amount of penalty points accumulated on the licence, however in this case the Court imposed a 30 day disqualification, and no penalty points.

The Sub Committee considered that the incident was sufficiently serious to impose a short period of suspension in line with the period imposed by the Court.

Resolved that the Private Hire Driver's Licence in respect of Mr F D be suspended for a period of 30 days.

In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

Mr F D would be advised of his right to appeal, and should he wish to exercise that right, must do so to the Magistrates' Court within 21 days of receiving written notification of the decision.

Meeting ended at 12.12pm

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