

PUBLIC PROTECTION SUB COMMITTEE

7 SEPTEMBER 2021

Present: Councillor Mackie(Chairperson)
Councillors Goddard and Lancaster

1 : EXCLUSION OF THE PUBLIC

The following item is confidential and exempt from publication as it contains exempt information of the description contained in paragraph 14 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972. The public may be excluded from the meeting by resolution of the Committee pursuant to Section 100A(4) of the Local Government Act 1972 during discussion of this item.

2 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

RESOLVED – That the following matters be dealt with as indicated:

(1) Application 1

The Sub Committee were asked to consider an application for a hackney carriage/private hire drivers licence. The applicant was a former hackney carriage/private hire driver. The applicant's licence was revoked by a Sub Committee in 2018 due the driver's unacceptable behaviour.

Members were advised that since revocation the applicant completed the BTEC Course on carrying passengers. The applicant was now fully aware of his responsibilities, particularly in relation to the Data Protection Act.

The applicant still did not accept some of the accusations made against him by the complainant when the Sub Committee considered the previous matter. However, he did accept that he had made some mistakes with regard to his conduct and he was regretful.

RESOLVED – That the application for a hackney carriage/private hire drivers licence be refused as the Sub Committee did not consider the applicant to be a fit and proper person to hold a licence.

(2) Application 2

The Sub Committee were asked to consider an application for a hackney carriage/private hire drivers licence. Members were advised that the applicant had served a custodial sentence for perverting the course of justice.

The applicant was asked to explain the circumstances leading to his conviction. The applicant stated that he had committed two driving offences for speeding. Upon receipt of the notification letters he did not advise the proper authority that he was driving the vehicle at the time of the offences. The applicant stated he provided a 'false address' for the first

offence. The letter was sent to his previous address and therefore he did not advise the authority who was driving. However, for the second offence he falsely claimed that his friend was driving the vehicle.

He was subsequently summonsed to court. The court received evidence that he was driving the vehicle at the time of the second offence. He received a four month custodial sentence for perverting the course of justice as a result.

Members noted that the driver had not declared both driving offences or any other convictions on the licence application form.

RESOLVED – That the application for a hackney carriage/private hire drivers licence be refused as the Sub Committee did not consider the applicant to be a fit and proper person to hold a licence.

(3) Application 3

The Sub Committee was asked to consider the circumstances that led to a licenced driver receiving 9 penalty points for driving offences.

The driver stated that he received 6 penalty points for driving without insurance and 3 penalty points for having a defective tyre. The driver was asked to explain the circumstances leading to his first conviction. The driver stated he was driving a private vehicle at the time of the offence. He was fully aware that he was not insured to drive that vehicle. However, he was not aware that he needed to advise the licencing authority of the driving offences. Responding to a question from the Sub Committee the driver stated that whilst he was aware that he was uninsured to drive the vehicle his was only travelling a short distance to a local shop.

The driver was asked why he had not appeared before the Sub Committee when invited to do so on two previous occasions. The driver stated that he was in hospital at the time but he emailed the licensing authority to advise them that he was unable to attend. The licensing officer stated that there was no record of any email being received. Officers had attempted to contact the driver on numerous occasions.

RESOLVED – That the hackney carriage/private hire drivers licence be revoked for driving offences.