

NORTHUMBERLAND COUNTY COUNCIL

LICENSING AND REGULATORY SUB-COMMITTEE

At a meeting of the **Licensing and Regulatory Sub-Committee held in the Chairman's Dining Room, County Hall, Morpeth, NE61 2EF on Thursday 05 April 2018 at 10.00 a.m.**

PRESENT

Councillor J I Hutchinson
(in the Chair)

MEMBERS

B Crosby (Reserve for part)
W Pattison

K Stow (Reserve for part)

OFFICERS

H Bowers
M Bulman
V Fox
T Hardy

Democratic Services Officer
Solicitor, Regulation
Licensing Officer
Licensing Manager

1. ELECTION OF CHAIR

RESOLVED that Councillor Ian Hutchinson be elected as Chair for the duration of the meeting.

2. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:-

- (a) that under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the Agenda as they involved the likely discussion of exempt information as defined in Part 1 of the Schedule 12(A) of the 1972 Act, and
- (b) that the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

Agenda Item 4, Paragraph 1 of Part 1 of Schedule 12A

"information relating to any individual."

PART II

3. REPORT OF THE BUSINESS COMPLIANCE AND PUBLIC SAFETY UNIT MANAGER

Case 05/04/18/381

The applicant was not in attendance and therefore the application was deferred to the next sub committee to give the applicant an opportunity to attend.

Case No. 05/04/18/380

The licence holder was in attendance.

The Licensing Manager informed the sub committee that an issue had arisen associated with the licence holder's suitability to continue to hold a private hire licence and a hackney carriage driver's licence.

The sub committee was asked to consider the application and the licence holder's representations along with the written and oral report of the Licensing Manager and relevant law and guidance policy to determine whether or not the licence holder was a fit and proper person to hold such licences.

The licence holder submitted his case in support of his application and then answered questions from the sub committee.

Members of the sub committee remained in the meeting to deliberate and make their decision and all others, except the legal advisor left the room.

When all were asked to return to the meeting the Legal Adviser read out a statement on behalf of the sub committee giving the sub committee's decision, a summary of the evidence that had been taken into account and reasons for their decision:

The sub committee have considered all representations before them and have determined to **REVOKE** the private hire driver's and hackney carriage and licence.

Reasons:

- 1) The sub committee has no reason to disbelieve the member of the public who made the complaint.

- 2) The sub committee also has no reason to disbelieve the evidence of your former employers who described your attitude on being challenged by them about the incident.
- 3) The sub committee is not convinced by your version of events and feel that your actions were not those of a fit and proper person and of a standard of a licensed driver which should be professional at all time when driving an licensed vehicle.

Case No. 05/04/18/379

The applicant was not in attendance.

The sub committee were informed of an issue which had arisen associated with the mechanical fitness of the licence holder's hackney carriage vehicle and whether or not the hackney vehicle licence should be renewed.

The sub committee determined to **REFUSE** to renew the hackney carriage vehicle licence as they did not believe that the vehicle could be maintained to the required standard given the vehicle's history over the past year.

Reasons:

- 1) The sub committee noted that the vehicle had failed numerous MOTs over the past year, on some occasions with very serious defects.
- 2) The licence holder's vehicle licence had been suspended 5 times between 6 January 2017 and 31 January 2018 and on one occasion as a result of a complaint from a member of the public about oil leaking from the vehicle and as a result the vehicle failed another MOT.
- 3) Given the history of the vehicle, the sub committee had no confidence that the vehicle would be suitably maintained and felt that this could be dangerous.
- 4) The sub committee has the duty to protect the safety of the travelling public and other road users and could not allow the vehicle to remain licensed.

CHAIR _____

DATE _____