

Regulation and Review Committee (Panel)

Thursday, 8 February 2024

Present: Councillors L Bartoli, T Mulvenna, J O'Shea and
J Wallace

RQ8/20 To Receive any Declarations of Interest and Notification of any Dispensations Granted

There were no interests or dispensations reported.

RQ9/20 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 it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ10/20 Private Hire Driver's Licence Referral - Ms D

The Committee considered a report from the Head of Public Protection which set out the background to a disciplinary referral relating to the holder of a Private Hire Driver's licence, Ms D.

The Committee was requested to determine whether any disciplinary action was required and to assess Ms D's continued suitability to carry out the duties of a licensed driver.

Ms D was in attendance at the meeting.

A Licensing Officer presented a report and Ms D and members of the Committee Regulation and Review Committee (Panel) were invited to ask questions.

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Ms D was invited to present his case and the Licensing Officer and members of Regulation and Review Committee (Panel) were invited to ask questions. Following summing up of both cases, both parties left the room.

The options available to the Committee were:

- Take no action
- Issue a warning as to the driver's future conduct
- Suspend the driver's licence; or
- Revoke the driver's licence

In determining its response the Committee took into account all that had been presented and contained within the papers submitted to the meeting and had regard to Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, the Council's Hackney Carriage and Private Hire Licensing Policy and the Statutory Taxi and Private Hire Vehicle Standards.

RESOLVED that Ms D remains a fit and proper person to hold a Private Hire Driver's licence and be issued with a warning as to their future conduct.

RQ11/20 Hackney Carriage and Private Hire Driver's Licence Appeal – Mr A

The Committee considered a report from the Head of Public Protection which set out the background to an appeal submitted by Mr A against the decision of the Authority to refuse to grant him a Private Hire Driver's licence.

The Committee was requested to determine whether to uphold the appeal and grant Mr A a licence or dismiss the appeal and confirm the decision of the Authority not to grant Mr A a licence.

A Licensing Officer attended the meeting, though Mr A was not present and had not sent his apologies.

The Licensing Officer presented the report and answered questions from members of the Committee.

Following a summing up from the Licensing Officer, they left the room to allow consideration of the matter to be undertaken in private.

In determining its response, the Committee took into account all that had been presented and contained within the papers submitted to the meeting and had regard to Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, the Council's Hackney Carriage and Private Hire Licensing Policy and the Statutory Taxi & Private Hire Vehicle Standards.

RESOLVED that Mr A's appeal be dismissed as the Committee was not satisfied that he is a fit and proper person to hold a licence with this Authority.

RQ12/20 Private Hire Driver's Licence Appeal – Mr R

The Committee considered a report from the Head of Public Protection which set out the background to an appeal submitted by Mr R against the decision of the Authority to refuse to grant him a Private Hire Driver's licence.

The Committee was requested to determine whether to uphold the appeal and grant Mr R a licence, or dismiss the appeal and confirm the decision of the Authority not to grant Mr R a licence.

A Licensing Officer and Mr R attended the meeting.

The Licensing Officer presented the report and answered questions from members of the Committee.

Mr R was given the opportunity to ask questions of the Licensing Officer.

Mr R then addressed the Committee.

Members of the Committee then asked questions of Mr R and sought clarification on a number of matters.

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

In determining its response, the Committee took into account all that had been presented and contained within the papers submitted to the meeting and had

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regard to Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, the Council's Hackney Carriage and Private Hire Licensing Policy and the Statutory Taxi & Private Hire Vehicle Standards.

RESOLVED that Mr R's appeal be dismissed as the Committee was not satisfied that he is a fit and proper person to hold a licence with this Authority.