

Regulation and Review Committee (Panel)

Thursday, 13 January 2022

Present: Councillor T Mulvenna (Chair)
Councillors L Bartoli, John Hunter and J Mole

Apologies: Councillors J O'Shea

RQ17/20 To Receive any Declarations of Interest and Notification of any Dispensations Granted

There were no declarations or dispensations reported.

RQ18/20 Exclusion Resolution

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

RQ19/20 Private Hire Driver's Licence Referral - Mr L

The Committee considered a report by the Senior Client Manager, Technical and Regulatory Services which outlined the background to a referral relating to the holder of a Private Hire Vehicle Licence, Mr L.

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

A Licensing Officer and Mr L, accompanied by a representative, attended the meeting.

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

Mr L and his representative were given the opportunity to ask questions of the Licensing Officer.

Mr L's representative then addressed the Committee.

Members of the Committee asked questions of Mr L and his representative and sought clarification on a number of matters.

Following a summing up from the Licensing Officer and Mr L's representative, all 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.

The Committee considered that it was an established principle that a licence was a privilege and not a right and seriously considered all the options available to it.

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 and the Council's Hackney Carriage and Private Hire Licensing Policy, in particular chapter 7 which makes reference to convictions, cautions, conduct and medical fitness.

Revoked that Mr L's private hire driver's licence be revoked with immediate effect on the grounds of public safety and that the Committee was no longer satisfied he was a fit and proper person to hold a licence from this Authority.