

LICENSING (TAXI AND MISCELLANEOUS) PANEL

Date: 12 October 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 9.30am

Present: Councillors: -

Pauline Bradberry
Brian Northall

Richard Gell

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Brian Northall be appointed chairman for this hearing.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraphs 1 and 7 of schedule 12A of the Local Government Act 1972, may be disclosed.

4. APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Licensing Officer reported on an application for a Hackney Carriage and Private Hire Driver's Licence under the Town Police Clauses Act 1847 (as amended) and the Local Government (Miscellaneous Provisions) Act 1976. Reference was made to the council's Hackney Carriage and Private Hire Driver's Criminal Records Policy when considering this application.

The Criminal Records Bureau (CRB) disclosure one conviction in November 2002, after an offence in December 2001.

The applicant was present at the hearing where he spoke in support of his application. He explained that –

- the offence had occurred when he was 16 years old and involved cruelty to a wild animal
- three other youths had also been convicted

- he had not realised that the conviction – nine years ago – had to be disclosed on the application form
- he had not been in any trouble since
- he had been offered a job with a local taxi firm.

The panel asked the applicant a number of questions.

It was explained that the council's Hackney Carriage and Private Hire Drivers Criminal Records Policy made it clear that there were no "spent" convictions as far as taxi drivers were concerned.

After considering the officer's report and representations made by the applicant, including advice from the council's Solicitor, the panel retired to consider the application and evidence presented at the hearing, and it was

RESOLVED:

That the application for a Hackney Carriage and Private Hire Driver's Licence be granted for two years with standard conditions.

The chairman then read out the following statement giving the reasons why the panel had granted the application:

"The Panel has carefully considered your application for the issue of a Hackney Carriage and Private Hire Drivers Licence. In reaching its decision, the Panel had regard to:

- Government Guidance
- ENC Hackney Carriage and Private Hire Drivers Criminal Records Policy
- ENC Hackney Carriages / Byelaws (Terms and Conditions)

The Panel has reached the decision to Grant the licence for a period of two years with standard conditions.

The Panel considered the offence which was not declared on the application form. The Panel felt that it was sufficiently dated not to be part of its considerations.

The Panel thanks the applicant for being so candid when responding to the Panel's questions.

The Panel would like to emphasise that the safety of the public is paramount and would take this opportunity to remind the applicant of his responsibilities in that respect.

The Decision Notice will be sent out in writing. If aggrieved with the Panel's decision, the applicant and any party that has made representation has the right to appeal to the Magistrates Court within 21 days of the Decision Notification letter."

Chairman