

# TAXI PANEL

**Date:** 24 July 2009

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 9:30am

**Present:** Councillors: -

Glenn Harwood (Chairman)  
Peter MacGovern

Brian Northall

## **PART A ITEMS**

### **1. APPOINTMENT OF CHAIRMAN**

#### **RESOLVED:**

That Councillor Glenn Harwood be appointed Chairman for this Hearing.

### **2. APOLOGIES**

Mrs Julia Smith, the Council's Licensing Officer, sent her apologies.

### **3. DECLARATIONS OF INTEREST**

No interests were declared.

### **4. EXCLUSION OF PUBLIC AND PRESS**

#### **RESOLVED:**

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

### **5. APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE**

The Commercial Health Officer reported on an application for the renewal of 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.

The Criminal Records Bureau check showed no recent convictions. However, the application revealed that the applicant had been convicted on 8 January 1996 of a drink driving offence which had occurred on 1 December 1995, for which he was fined £300 and disqualified from driving for 18 months. This conviction had been considered at a Licensing Panel Hearing

held on 26 July 2007, where the applicant was granted a Hackney Carriage and Private Hire Driver's Licence for 2 years. The applicant had obtained his first Driver's Licence in April 2001.

The Panel noted that the applicant had also disclosed two speeding offences in 2001 and 2004 on his application.

The applicant spoke in support of his application and answered questions from the Panel about the circumstances of the previous conviction and two speeding offences.

After considering the Officer's report and the representations made by the applicant, including advice from the Solicitor to the Council, the Panel retired to consider the application and evidence presented at the Hearing, and it was

**RESOLVED:**

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

The Chairman read out the following statement giving the reasons why the Panel had granted the application: -

"The Panel carefully considered the application for the renewal of a Hackney Carriage and Private Hire Driver's Licence and reached the decision to grant the Licence for a period of two years.

The Panel had reference to the Government Guidance when making its decision and the reasons for granting the application are as follows: -

1. The Panel noted the drink driving offence for which the applicant had been convicted in 1996 and whilst serious, considered that the conviction was sufficiently dated and therefore carried limited weight in the decision making process.
2. The Panel also noted the two convictions for speeding but also considered that they were sufficiently dated.
3. The Panel wished to emphasise that the safety of the public was paramount and therefore warned the applicant most strongly that should he be convicted of any offence under the East Northamptonshire Council Terms and Conditions for Hackney Carriage and Private Hire Drivers, this could result in a review of his Licence which could then be revoked.
4. The Panel wished to stress the importance it placed on individuals who drove members of the public for a living being fully compliant at all times with all aspects of the law".

The Chairman mentioned that the Panel's decision would be sent in writing to the applicant within 21 days, and that he also had the right of appeal to the Magistrates Court within 21 days of receiving the Decision Notice if he did not agree with the Panel's decision.

**Chairman**

# TAXI PANEL

**Date:** 14 August 2009

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 9:30am

**Present:** Councillors: -

Richard Gell  
Glenn Harwood (Chairman)

Gill Mercer

## **PART A ITEMS**

### **1. APPOINTMENT OF CHAIRMAN**

#### **RESOLVED:**

That Councillor Glenn Harwood be appointed Chairman for this Hearing.

### **2. APOLOGIES**

Mrs Julia Smith, the Council's Licensing Officer, sent her apologies.

### **3. DECLARATIONS OF INTEREST**

No interests were declared.

### **4. EXCLUSION OF PUBLIC AND PRESS**

#### **RESOLVED:**

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

### **5. APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE**

The Commercial Health Officer reported on an application for the renewal of 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.

The Criminal Records Bureau disclosure revealed that the applicant had been given a caution on 2 March 2002 for possessing controlled drugs with intention to supply (class not specified) on 26 November 2001. This matter had been previously considered at a Taxi Panel Hearing on 15 July 2008, where a Hackney Carriage and Private Hire Driver's Licence

was granted for twelve months with standard conditions.

The Panel noted that the applicant had been convicted of two speeding offences for 24 June and 9 November 2005.

The applicant spoke in support of his application and answered questions from the Panel about the circumstances of the caution and the two speeding offences.

After considering the Officer's report and the representations made by the applicant, including advice from the Solicitor to the Council, the Panel retired to consider the application and evidence presented at the Hearing, and it was

**RESOLVED:**

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

The Chairman read out the following statement giving the reasons why the Panel had granted the application with standard conditions: -

"The Panel had reference to the Government Guidance when making its decision and the reasons for granting the application were as follows:-

The Panel: -

- (a) noted the caution given to the applicant on 2 March 2002, which was issued for a serious offence. However, the Panel considered that the caution was sufficiently dated and that it carried limited weight when making its decision.
- (b) also noted the two convictions for speeding in 2005 but again considered that they were sufficiently dated.
- (c) wished to emphasise the safety of the public was paramount and warned the applicant that, should he be convicted of any offence under the prescribed offences list in East Northamptonshire Council's Terms and Conditions for Hackney Carriage and Private Hire Drivers, this could result in a review of his Licence and it could be revoked.
- (d) wished to stress the importance it placed on individuals who drove members of the public for a living being fully compliant at all times with all aspects of the law.

The Panel also appreciated the applicant being candid in his responses to its questions and that he had expressed regret for those actions leading to the caution."

The Chairman mentioned that the Panel's decision would be sent in writing to the applicant within 21 days, and that he also had the right of appeal to the Magistrates Court within 21 days of receiving the Decision Notice if he did not agree with the Panel's decision.

**Chairman**