

TAXI PANEL

Date: 28 October 2009

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 9:30am

Present: Councillors: -

Richard Gell
Gill Mercer

Brian Northall (Chairman)

PART A ITEMS

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 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.

4. APPLICATIONS FOR THE RENEWAL OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCES

The Licensing Officer reported on two applications for the renewal of Hackney Carriage and Private Hire Driver's Licences under the Town Police Clauses Act 1847 (as amended) and the Local Government (Miscellaneous Provisions) Act 1976.

(a) Applicant One

The Criminal Records Bureau disclosure revealed that the applicant had been given a caution for the offence of Theft (shoplifting) on 26 May 2005.

A similar application made by the applicant had been approved at a Licensing Panel two years ago.

The Panel noted that a short term Licence had been issued to enable the applicant to

continue to work until 18 December 2009.

The applicant spoke in support of her application and answered questions from the Panel about the circumstances of the caution.

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:

1. Noted with concern the caution for theft in May 2005. However, whilst serious, the Panel also noted that there had been no subsequent convictions or cautions.
2. Wished to emphasise that the safety of the public was paramount and warned the applicant that should she be convicted of any offence under the prescribed offences list of East Northamptonshire Council's Terms and Conditions for Hackney Carriage and Private Hire Drivers, it could result in her Licence being revoked.
3. 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.
4. Also wished to stress that honesty was vital because passengers placed their trust in the driver of a hackney carriage or private hire vehicle."

The Chairman mentioned that the Panel's decision would be sent in writing to the applicant within 21 days and also advised about her right of appeal to the Magistrates Court if she was aggrieved with the Panel's decision.

(a) Applicant Two

The Criminal Records Bureau disclosure revealed that the applicant had been given a conditional discharge for 12 months on 28 November 1996 with £50 costs for the offence of obstructing the Police.

A similar application made by the applicant had been approved at a Licensing Panel two years ago.

The Panel noted that a short term Licence had been issued to enable the applicant to continue to work until her application had been considered by a Taxi Panel.

The applicant spoke in support of her application and answered questions from the Panel about the circumstances of the offence.

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:

1. Noted with concern the conviction for obstructing the Police in November 1996. However, whilst serious, the Panel also noted that there had been no subsequent convictions or cautions.
2. Wished to emphasise that the safety of the public was paramount and warned the applicant that should she be convicted of any offence under the prescribed offences list of East Northamptonshire Council's Terms and Conditions for Hackney Carriage and Private Hire Drivers, it could result in her Licence being revoked.
3. 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 also advised about her right of appeal to the Magistrates Court if she was aggrieved with the Panel's decision.

Chairman