

LICENSING (TAXI AND MISCELLANEOUS) PANEL

Date: 09 February 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 10.00am

Present: Councillors: -

Tony Boto
Pam Whiting

Glennil Greenwood-Smith

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Glennil Greenwood-Smith be appointed Chairman of the Panel for the Hearing.

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Gill Mercer and Councillor Glennil Greenwood-Smith was attending in her place.

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. CONSIDERATION OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE AND PRIVATE HIRE OPERATORS LICENCE

(The Applicant was present at the Hearing).

The Environmental Protection Manager reported that on 4 October 2017, an application had been received for a Hackney Carriage and Private Hire Driver's Licence.

The Applicant had declared in his application that he had a number of convictions.

He had completed a HCPH Driver Criminal Record History form to provide further information on the offences and the form had been sent to Northamptonshire Police, who had advised that they were unable to comment on the details surrounding the offences as they had occurred out of county. The Applicant had no endorsements on his driving licence.

Neither the Applicant nor Panel Members had any questions for the Environmental Protection Manager.

Applicant's address to the Panel

The Applicant stated that his convictions had all happened a long time ago. He had grown up and now had children who he wanted to provide for. Most of the offences had occurred around a difficult time in his life.

Questions to the Applicant

In response to questions from the Panel, the Applicant confirmed that he was currently a mechanic at a local taxi company and with a licence he would be able to provide cover when necessary and could also drive at weekends. He provided an explanation as to his past convictions.

The Environmental Protection Manager had no questions of the Applicant.

At 10.15am the Panel adjourned to make their decision.

The Panel reconvened at 11.00am to announce their decision.

RESOLVED:

The Panel has carefully considered the report by East Northamptonshire Council's Environmental Protection Officer to determine the fitness of the Applicant to hold a Hackney Carriage and Private Hire Drivers Licence.

In reaching its decision, the Panel had regard to:

- The report from the East Northamptonshire Council's Environmental Protection Officer
- Application form for Hackney Carriage/Private Hire Driver's Licence
- Supplementary Information on Criminal Records
- DLVA Record
- Local Government (Miscellaneous Provisions) Act 1976
- ENC Licensing Policy for Hackney Carriage and Private Hire Drivers
- ENC Criminal Records Policy
- Current DBS records.

It is the duty of the Panel to determine the application on the balance of probabilities.

The Panel have decided unanimously that the applicant is, on a balance of probability, a fit and proper person to be licenced to drive a Hackney Carriage/Private Hire vehicle and ought therefore to be licensed. The Panel has therefore decided to grant the licence.

The reasons for this decision are:-

- The Panel appreciated the Applicant's honesty and integrity in admitting that he had made mistakes in 2005 and 2010.
- The Panel sympathised with the Applicant's difficult past in London and noted his desire to make a fresh start by moving to a different part of the country.
- The Panel also noted that the Applicant has been conviction free for a period in excess of 6 years.

The Panel would remind the applicant that being a Taxi Driver is a highly responsible position and therefore, they wish to emphasise the importance of the East Northamptonshire Licensing Policy governing Hackney Carriage and Private Hire Drivers Licence. Further the Panel would like to warn the applicant that any future breaches of the policy or misconduct would not be looked upon favourably and may result in the licence being suspended or revoked.

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