Consideration by East Northamptonshire Council of a Hackney Carriage and Private Hire Drivers Licence

Friday 21 June 2019

The Panel has carefully considered the report by East Northamptonshire Council's Licensing Enforcement 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 Licensing Enforcement Officer
- The application form for Hackney Carriage/Private Hire Driver's Licence
- Supplementary Information on Criminal Records
- ENC Taxi Licensing Policy
- ENC Criminal Records Policy
- Current DBS records.
- Verbal evidence from the applicant
- Verbal evidence from the Licensing Enforcement Officer

The Panel have carefully considered the representations made by all Parties and also gave due regard to all of the above documents in reaching its decision.

The Panel have decided unanimously that the Applicant is not, on a balance of probability, a fit and proper person to be licenced to drive a Hackney Carriage/Private Hire vehicle and ought therefore not to be licensed. The Panel has therefore decided to refuse the licence.

The reasons for this decision are:-

- The Panel considered ENC’s Criminal Records Policy in particular Section 9.0.3 which clearly states that 5 years should expire after the restoration of the driving licence following a drink driving conviction, and Section 5.1.2 which states that this policy should only be departed from in exceptional circumstances. The Panel felt that the Applicant was unable to demonstrate any circumstances which would enable the Panel to take an alternative view or depart from the Policy.
• The Panel also asked themselves the question “would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?” The answer to this was no.

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 – Councillor P Wathen

21 June 2019