TAXI PANEL

Date: 27 November 2009
Venue: East Northamptonshire House, Cedar Drive, Thrapston
Time: 2:00pm
Present: Councillors: -

Albert Campbell  Andy Mercer (Chairman)
Richard Gell

PART A ITEMS

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Andy Mercer be appointed Chairman for this Hearing.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. MINUTES

The Minutes of the meeting held on 30 September 2009 were approved (up to Minute 4(a) only) and signed by the Chairman.

(Note: Minute 4(b) would need to be signed by Councillor Northall (who had been appointed Chairman for that item only) at a future meeting of the Taxi Panel.)

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 A NEW HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER’S LICENCE

The Licensing Officer reported on an application for a new 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 and the DVLA Data Subject Report had revealed no offences. However, the applicant had admitted three offences of driving without insurance on the application form, which had not shown up on the DVLA Report. Members requested that letter be sent to the DVLA for an explanation as to why the offences had not appeared on the applicant’s DVLA Report.

The applicant spoke in support of his application and answered questions from the Panel about the circumstances of the offences. He explained that he had been caught driving without insurance on three occasions in 2003 and 2004, when he was younger and less responsible. He had not offended since then and confirmed that he had had a full DVLA driving licence since 2002.

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 a new 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 had granted the application for the following reasons: -

The Panel:

1. Noted the three convictions for driving without insurance. However, whilst concerned, the Panel considered that they had occurred some time ago and there had been no subsequent convictions since 2004.

2. Wished to emphasise that the safety of the public was paramount and warned the applicant that should he 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 his 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 Panel appreciated the applicant being candid in his responses to their questions. It also noted that he had expressed regret for those actions resulting in the convictions."

The Chairman mentioned that the Panel’s decision would be sent in writing to the applicant within 21 days and that he had a right of appeal to the Magistrates Court if he was aggrieved with the decision.

Chairman