

General Licensing Sub-Committee

Wednesday, 2 September 2009

Present: Councillor Keith Iddon (Chair) and Councillors Magda Cullens, Doreen Dickinson, Hasina Khan and Stella Walsh

09.LSC.05 APOLOGIES FOR ABSENCE

There were no apologies for absence.

09.LSC.06 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest submitted by the Sub-Committee Members.

09.LSC.07 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – that the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

09.LSC.08 APPLICATION TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES

The Sub-Committee considered a report of the Corporate Director of Neighbourhoods seeking instruction on an application for a licence to drive hackney carriage/private hire vehicles.

The Council's adopted policy stated that applicants for a hackney carriage private hire drivers' licence should have at least 3 years driving experience as the holder of a full UK driving licence. The applicant has held a full UK drivers licence since 2 November 2007. Therefore the applicant did not meet the criteria, and consequently under normal circumstances would not qualify for a driver's licence.

The applicant accompanied by a representative attended the meeting to put forward representations in support of the application.

The Sub-Committee considered all aspects of the application, including the applicant's representation; driving experience, and the potential job appointment for the applicant.

The Sub-Committee, **RESOLVED – that the application for a hackney carriage/private hire driver's licence be granted.**

09.LSC.09 APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE

The Sub-Committee considered a report of the Corporate Director of Neighbourhoods seeking instruction on an application for a licence to drive hackney carriage/private hire vehicles.

The application could only be determined by the General Licensing Sub-Committee as the applicant had relevant convictions.

On 16 June 2009 the applicant submitted his application to drive a hackney carriage/private hire vehicle. The applicants CRB check revealed one conviction on 16 September 1999 at Preston Crown Court for an offence of dangerous driving which occurred on 14 September 1998, while working as a hackney carriage driver in Chorley. The applicant was disqualified from driving for 18 months and until an extended driving test was passed, and was fined £100, and ordered to pay £300 compensation. The applicant also had convictions of exceeding the speed limit on 17 October 2005 and 4 December 2006.

As a result of the conviction, the Licensing Sub-Committee revoked the applicant's hackney carriage licence on 5 October 1999. Chorley Magistrates Court upheld the decision of Licensing Sub-Committee to revoke the applicant's hackney carriage licence at a hearing on 24 February 2000.

On 5 February 2007 the applicant appeared before South Ribble Borough Council's General Licensing Committee. At that meeting his hackney carriage and private hire drivers licence's was revoked.

The applicant attended the meeting to put forward representations in support of the application.

The applicant felt that the extended driving test which he had to complete as part of his conditions imposed by Preston Crown Court had improved his driving skills.

The applicant accepted that on four separate occasions he had lost his temper with the Licensing Officer at South Ribble.

The Sub-Committee was informed that there had been an incident at Runshaw College while the applicant was trying to enrol on a relevant BTEC training course. The applicant had a disagreement with a College representative over fees. The applicant has since enrolled on a course at Lancaster and Morecombe College.

The Sub-Committee considered all aspects of the application, including the applicant's representations, the statement of the Council's adopted policy, and the relevance of the convictions.

The Sub-Committee, **RESOLVED – that after taking account all relevant factors, they were not satisfied that the applicant was a fit and proper person to hold a hackney carriage/private hire drivers' licence. The applicant had admitted that he had lost his temper on four occasions with the Licensing Officer at South Ribble and Members did not feel that his reasons were sufficient to justify that action. Members were also concerned about the applicant's representations as he did not answer Members questions satisfactorily or with sufficient clarity, making inappropriate unrelated comments.**

The applicant has a right to appeal to the Magistrates' Court within 21 days.

Chair