

General Licensing Sub-Committee

Wednesday, 16 March 2011

Present: Councillor Keith Iddon (Chair) and Councillors Anthony Gee, Alan Platt, Ralph Snape and John Walker

11.LSC.16 APOLOGIES FOR ABSENCE

There were no apologies for absence.

11.LSC.17 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

11.LSC.18 EXCLUSION OF THE PUBLIC AND PRESS

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

11.LSC.19 APPLICATION TO DRIVE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

Members of the Sub-Committee considered a report from the Director of People and Places which sought the Sub-Committee's decision on an application for a hackney carriage and a private hire driver's licences.

Council Policy states that an applicant for a hackney carriage and/or a private hire drivers licences must have held a full DVLA driving licence for three years. The applicant had only held a full DVLA driving licence since 25 July 2008 and therefore did not comply with Council Policy.

To prove his identity, the applicant produced two driving licences in different names. Further checks revealed that one of the licences was no longer valid. The applicant produced further documents to prove his identity including a certificate of travel which was due to expire on 19 May 2011. At this point the Public Protection Officer was satisfied that the CRB check had been made in the correct name, the result of which recorded that the applicant had no convictions.

The applicant attended the Sub-Committee hearing to give representation in support of his application, which included his driving history prior to and since entering the UK, an explanation of the multiple driving licences, and current immigration status.

After careful considered of all the relevant factors including the verbal representations from the applicant and the applicant's driving experience since qualifying for a full DVLA driving licence the Sub-Committee unanimously **RESOLVED - To approve the application for a hackney carriage and private hire drivers' licences.**

11.LSC.20 CRIMINAL RECORDS BUREAU DISCLOSURE APPLICATION

Members of the Sub-Committee considered a report from the Director of People and Places which sought the Sub-Committee's instructions on the results of a CRB disclosure application.

At the Sub-Committee meeting on 5 January 2011, Members were informed that there had been a reluctance from the driver to have his fingerprints taken by the Police so that the Criminal Records Bureau could confirm his identity. The Sub-Committee at that time resolved that the driver must complete the CRB check in its entirety by 1 March 2011.

Since that Sub-Committee the driver had successfully completed a CRB check in its entirety. However, the results revealed a conviction dating back to June 1976 at Crown Court for which he received six months imprisonment, suspended for two years. The Sub-Committee was advised that the Council had no records that the conviction had ever been considered in respect of him being a 'fit and proper' person to hold a hackney carriage or private hire driver's licence.

The driver and his representatives attended the Sub-Committee hearing to give representation in support of the application.

The Sub-Committee considered all the relevant factors including the relevance and age of the conviction, and the Council's Policy relating to convictions and unanimously **RESOLVED – No further action need be taken.**

Chair