

General Licensing Sub-Committee

Wednesday, 17 July 2013

Present: Councillor Marion Lowe (Chair) and Councillors David Dickinson, Danny Gee, Adrian Lowe and Alan Platt

Also in attendance

Officer: Alex Jackson (Senior Lawyer), Stephen Culleton (Public Protection Officer) and Dianne Scambler (Democratic and Member Services Officer)

13.LSC.14 APOLOGIES FOR ABSENCE

No apologies for absence were received.

13.LSC.15 DECLARATIONS OF ANY INTERESTS

There were no declarations on any interest.

13.LSC.16 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 of the Local Government Act 1972.

13.LSC.17 TO DETERMINE PRIVATE HIRE DRIVER AND VEHICLES LICENCES SUBJECT TO SUSPENSION NOTICES ISSUED UNDER SECTION 61(2) (B) & SECTION 60 (1) (C) OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Sub Committee considered a report of the Director of People and Places in the presence of the driver's representative, to consider whether the driver should have his licences revoked.

The driver had previously had his private hire driver licence suspended by a General Licensing Sub Committee on 7 November 2012, as he was the subject of an enquiry relating to a sexual assault in a taxi licensed by the Council, where bail conditions had been imposed upon him.

The Sub Committee was informed that the driver had pleaded guilty to the charges made against him and had been sentenced accordingly on 4 June 2013. The driver had received a 12 month community supervision order, 80 hours community service and had been placed on the Sex Offenders' Register for 5 years.

Members heard representation from the Council's Public Protection Officer and received information regarding the Council's policy regarding convictions. The driver had been invited but was unable to attend the meeting as he was undertaking community service. His representative attended and stated that the driver wanted to hand in his drivers badge as he did not feel that he would be able to get his licence reinstated.

Having considered all the information at the meeting Members **RESOLVED to revoke the drivers private hire driver licence with immediate effect on grounds of public**

safety under s.61(2)[B] of the Local Government (Miscellaneous Provisions) Act 1976 and to revoke the drivers private hire vehicle licence under s.60(1)(c) of the 1976 Act on the grounds below. Members further resolved to remove delegated authority from officers to grant any future applications in relation to taxi driver or vehicle licences from the driver.

- (i) The driver had been convicted of a sexual assault on a passenger in a taxi**
- (ii) Members noted that at paragraph D.1 of the Council's policy on previous convictions persons with convictions for indecent assault would normally be refused a licence**
- (iii) The driver had been required to sign the Sex Offenders' Register for 5 years. Members noted that the Council's policy on previous convictions does not envisage persons to be allowed to drive taxis whilst on the Sex Offenders' Register.**
- (iv) Members considered that in the interests of public safety the driver should not be permitted to hold any form of taxi permission from the Council**

Chair