

General Licensing Sub-Committee

Wednesday, 1 April 2009

Present: Councillor Iris Smith (Chair) and Councillors David Dickinson, Keith Iddon, Hasina Khan and Stella Walsh

09.LSC.47 APOLOGIES FOR ABSENCE

There were no apologies for absence.

09.LSC.48 DECLARATIONS OF ANY INTERESTS

There were no declarations of interests in any of the agenda items by any of the Sub-Committee members.

09.LSC.49 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT

There were no items for consideration.

09.LSC.50 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.51 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES

The Sub-Committee considered a report of the Director of Corporate Governance seeking the Sub-Committee's decision on an application from Mr G. for a licence to drive a hackney carriage/private hire vehicle.

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

When Mr G made his application on 28 November 2008, his driving licence indicated he had received 3 penalty points for speeding. Due to administrative issues with the applicant's CRB check the application had been delayed, and resulted in the applicant being asked to produce his driving licence for a second time. This revealed that Mr G had received an additional 5 penalty points for a speeding conviction, and was disqualified from driving on 29 October 2008 under the Road Traffic (New Drivers) Act 1985.

Mr G had provided a certificate which showed that he passed a practical driving test on 23 February 2009, and the CRB check revealed that he had no convictions or cautions. Mr G was currently taking a language course to improve his English.

The Sub-Committee was also informed that Mr G had approximately 2 years and 5 months driving on a full UK driving licence, but there was a period of

approximately 4 months when he had been disqualified from driving. The applicant had driven on an international driving permit for approximately 9 months. Members were reminded that the Council normally requires an applicant for a hackney carriage/private hire driver's licence to demonstrate at least 3 years driving experience as the holder of a full driving licence.

Mr G attended the Sub-Committee to put forward his representations in support of the application. The applicant explained the circumstances behind him committing the two speeding offences, and how the impact of the speeding ban had affected his life since.

The Sub-Committee considered all elements and aspects of the application, including the applicant's representations, the applicant's driving experience (particularly in the UK); the potential offer of employment, and the Council's policy relating to relevant convictions and the minimum of 3 years driving experience on a full UK driving licence .

The Sub-Committee were concerned that the applicant had received 8 penalty points within the first two years of holding a full UK driving licence. Members had been impressed by the way in which the applicant had presented himself at the Sub-Committee, the steps he had taken to improve his situation, and acknowledged that he had tried hard to gain employment.

After considering and taking due account of the relevant factors, the Sub-Committee unanimously **RESOLVED – to grant Mr G a hackney carriage/private hire vehicle driver's licence. However, the Sub-Committee emphasised how seriously it viewed speeding convictions especially with such a recently acquired licence. The applicant was advised that should he receive further speeding penalties, another hearing before the Sub-Committee would be arranged, which could result in the revocation of his hackney carriage/private hire driver's licence.**

Chair