

Regulation and Review Committee

16 September 2016

Present: Councillor K Osborne (In the Chair)
Councillors P Earley, John Hunter, D McMeekan and J O'Shea.

RQ09/9/16 Apologies for Absence

There were no apologies for absence submitted.

RQ10/9/16 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ11/9/16 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ12/9/16 Private Hire Driver's Licence Appeal – Mr W

The committee considered a report by the Senior Client Manager, Technical Services which outlined the background to an appeal against the refusal of the licensing section to grant Mr W with a private hire driver's licence.

Mr W was present at the meeting, accompanied by his fiancé, and both took the opportunity of addressing the committee.

A licensing officer presented the report to the committee which included information on the application and the results of Mr W's disclosure certificate which had been received from the Disclosure and Barring Service.

Mr W was given the opportunity to ask questions of the Licensing Officer.

Members asked questions of the Licensing Officer.

Mr W then addressed the committee in support of his application and answered questions from Members.

Following a summing up from the Licensing Officer and Mr W, all parties left the meeting to enable consideration of the matter to be undertaken in private.

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The options available to the committee were to:

- Uphold the appeal and agree to grant the licence;
- Dismiss the appeal and refuse to issue the licence.

In determining its response the committee had regard to Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 and the Council's Hackney Carriage and Private Hire Licensing Policy, in particular Chapter 7 which made reference to convictions, cautions, conduct and medical fitness.

Resolved that (1) the appeal be upheld; and
(2) Mr W be granted a private hire driver's licence.

RQ13/9/16 Combined Hackney Carriage/Private Hire Driver's Licence Referral – Mr A

The committee considered a report by the Senior Client Manager, Technical Services which outlined the background to a referral in respect of the holder of a combined hackney carriage and private hire driver's licence. The driver had been convicted of an offence during the term of his current licence and it had been decided to refer the case to the Regulation and Review Committee for it to determine whether any further disciplinary action was required.

Mr A was present at the meeting and represented by his solicitor, Mr K.

A licensing officer presented the report to the committee which included information on when Mr A had been issued with a combined hackney carriage/private hire driver's licence and when it would expire; Mr A's licensing record and details of the conviction.

Mr K asked questions of the Licensing Officer.

Members asked questions of the Licensing Officer.

Mr K then addressed the committee on his client's behalf and answered questions from Members.

Following a summing up from the Licensing Officer and Mr K on behalf of Mr A, all parties left the meeting to enable consideration of the matter to be undertaken in private.

The options available to the committee were to:

- take no action;
- issue a warning as to the driver's future conduct;
- suspend the driver's licence; or
- revoke the driver's licence.

In determining its response the committee had regard to Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 and the Council's Hackney Carriage and

Private Hire Licensing Policy, in particular Chapter 7 which made reference to convictions, cautions, conduct and medical fitness.

Resolved that Mr A's license should be suspended for a period of six weeks and he be issued with a warning as to his future conduct.

RQ14/9/16 Combined Hackney Carriage/Private Hire Driver's Licence Referral – Mr S

The committee considered a report by the Senior Client Manager, Technical Services which outlined the background to a referral in respect of the holder of a combined hackney carriage and private hire driver's licence following receipt of information received from Northumbria Police.

Mr S was not present at the meeting.

The committee therefore gave consideration as to whether it would deal with the matter in his absence or would adjourn to give Mr S a further opportunity to attend the meeting.

Resolved that consideration of this matter be deferred to the next meeting.