

Regulation and Review Committee Panel

**17 February 2017
2.00pm**

Present: Councillor K Osborne (Chair)
Councillor John Hunter, D McMeekan and T Mulvenna

RQ51/02/17 Apologies for Absence

Apologies for absence were received from Councillor O'Shea.

RQ52/02/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ53/02/17 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.

RQ54/02/17 Private Hire Operator's Licence Referral

Prior to any consideration of the matter, the committee was informed that the representative for the private hire company concerned, Mr X, had only received a copy of the papers at the meeting. Officers produced a certificate of service to say that the papers had been delivered to the offices on 9 February 2017. The committee allowed Mr X some time to read the report and with his agreement proceeded with the matter at the meeting.

The committee considered a report by the Senior Client Manager, Technical and Regulatory Services which outlined the background to a referral in respect of a company which was the holder of a private hire operator's licence, and requested the committee consider whether any disciplinary action was required and the company's continued suitability to carry out the duties of a licensed operator.

Two officers from the Licensing Team attended the meeting.

The Licensing Officer presented the report.

Mr X and Members asked questions of the Licensing Team.

Mr X then addressed the committee.

Members asked questions of Mr X.

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

The options available to the committee were to:

- take no action;
- suspend the operator's licence; or
- revoke the operator's licence.

In determining its response the committee had regard to Section 62 of the Local Government (Miscellaneous Provisions) Act 1976 which provides that the Authority may suspend or revoke a private hire operator's licence where it has any reasonable cause to do so and the Council's Hackney Carriage and Private Hire Licensing Policy, in particular chapter 4 which makes reference to Private Hire Operators and chapter 7 which makes reference to convictions, cautions, conduct and medical fitness.

The committee considered that it was an established principle that a licence was a privilege and not a right and took a very serious view of the events outlined in the report and seriously considered all the options available to it.

Resolved that the Operators Licence for the company should be revoked as the committee could not be satisfied that it remained fit and proper to hold the licence.

RQ55/02/17 Combined Hackney Carriage/Private Hire Operator's Licence Referral

The committee had received a report by the Senior Client Manager, Technical and Regulatory Services which outlined the background to a referral in respect of Mr D, the holder of a combined hackney carriage/private hire driver's licence, and requested the committee to determine whether any disciplinary action was required and his continued suitability to carry out the duties of a licensed driver.

Mr D had requested the matter be deferred to the March meeting of the committee as his representative was unable to attend the meeting today.

Officers raised no objection to the deferment.

Resolved that the consideration of Mr D's case be deferred until the next panel meeting of the committee.