

Licensing Sub-Committee

Minutes - 11 November 2015

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Bishan Dass

Conservative

Cllr Mark Evans

Employees

Linda Banbury
Sarah Hardwick
Elaine Moreton

Democratic Support Officer
Solicitor
Section Leader - Licensing

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

There were no declarations of interest.

3 Exclusion of press and public

Resolved:

That, in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of particular persons.

4 Review of a Private Hire Vehicle Driver's Licence

Mr AS attended the meeting, accompanied by his son KS, in connection with the review of his private hire vehicle driver's licence.

The Chair made introductions and outlined the procedure to be followed during the meeting.

Elaine Moreton, (Section Leader, Licensing), outlined the report which had been circulated to all parties in advance and, in so doing, advised that the driver's

understanding of English did not appear to be a problem but he struggled with spoken English. The Solicitor advised that levels of communication did not form part of the driving assessment test, adding that the guidelines allowed the Sub-Committee to determine the application on what they heard at today's meeting.

Mr A S, assisted by his son, advised the Sub-Committee that his family were currently assisting him to improve his spoken English and he was currently awaiting his response to his application to undertake some formal education via The Bingley Centre. He had already completed level 1 and part of level 2 (English as a second language). Level 2 had not been completed due Mr AS's wife's illness at the time. The Sub-Committee were informed that, with the exception of the complaint from the Council Compliance Officer, the driver had had no other complaints in regard to his role as a private hire vehicle driver. Mr AS demonstrated his knowledge of the use of a Sat Nav and actions to be taken in the event of an emergency. Mr AS understood what the Compliance Officer said to him on the day his licence was suspended, but was concerned that his car had a problem and did not respond adequately.
Resolved:

That, having considered all the information presented to the meeting, the Licensing Sub-Committee considers that Mr AS is a fit and proper person to hold a private hire vehicle driver's licence and agree to take no further action in this matter. However, the Sub-Committee recommends that Mr AS continues his learning in regard to English as a second language. This decision is subject to review by the Licensing Manager prior to renewal of his licence.

5 **Review prior to renewal of a Private Hire Vehicle Driver's Licence**

Mr AKB attended the meeting, in connection with the review prior to renewal of his private hire vehicle driver's licence.

The Chair made introductions and outlined the procedure to be followed during the meeting.

Elaine Moreton, (Section Leader, Licensing), outlined the report which had been circulated to all parties in advance and, in so doing, advised that the driver had failed to attend a number of meetings with the Licensing Manager. On one occasion the failure to attend was given as being due to a hospital visit, but the driver appeared on base records as working. Had the driver attended the meetings, the matter would have been dealt with prior to renewal stage. Mr B had therefore been unable to drive since 11 October.

Mr B referred to on-going, acrimonious divorce proceedings which were placing him in financial hardship and had led to his loss of temper in respect of the incident with the hackney carriage driver, for which he had apologised. He had been due to take his wife to a hospital appointment but in the event she had changed her mind and he believed it was too late to reinstate the meeting with the Licensing Manager. He stated that he had had no complaints from passengers in the eight years he had worked as a private hire vehicle driver. His false version of events, as detailed on page 20 of the agenda pack, were because he was reluctant to let people know about aspects of his private life at that time and wished to protect persons involved. Mr B further indicated that the video footage, referred to at page 23 of the agenda pack, did not show the whole story and that the rank had been empty when he

arrived. (On a point of clarification the Section Leader (Licensing) advised that the Licensing Manager had not viewed the video footage). Mr B accepted, with hindsight, that he should have parked on the opposite side of the road to the rank. He also stated that he was attending an anger management course via the organisation Relate.

Resolved:

That, having considered all the information presented to the meeting, the Licensing Sub-Committee is satisfied that Mr AKB is a fit and proper person to hold a private hire vehicle driver's licence and according have agreed to renew the licence for a period of twelve months. However, this decision is subject to Mr B attending and completing the one day intensive anger management course via Citizen Coaching and driver knowledge course run via Worcester Country Council, at his own expense, by the end of February 2016. The decision is also subject to review by the Licensing Manager in six months time.