

Licensing Sub-Committee – Meeting held on Wednesday, 7th July, 2021.

Present:- Councillors Brooker (Chair), S Parmar and Sharif

Officers Present:- Mr Idowu (Licensing), Mrs Kauser (Democratic Services) and Mr Lucas (Legal)

PART 1

1. Declarations of Interest

Councillor Sharif declared that the Appellant previously resided in his ward and that he recognised him from when he had been canvassing. Councillor Sharif declared that he would approach the matter with an open and clear mind.

2. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

3. Minutes of the Last Meeting held on 5th November 2021 and 11th November 2021

Resolved – That the minutes of the meetings held on 5th November and 11th November 2021 be approved as a correct record.

4. Exclusion of the Press and Public

Resolved – That the press and public be excluded from the remainder of the meeting as the items to be considered contained exempt information relating to individuals as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended)

5. Private Hire Driver Conduct Hearing (Reference 02-21)

The Chair welcomed all parties to the meeting and confirmed that they had all received a copy of the paperwork.

The Licensing Officer reminded Members that the Appellant had failed to notify the Licensing Team of a caution that he had received in September 2019. The matter had come to the Licensing Team's attention following a DBS check that had been carried out after the Appellant's renewal of his Private Hire Driver (PHD) Licence application in March 2021. It was noted that the Appellant also held a PHD licence with a neighbouring local authority, who had not been notified of the caution either. Options available to the Sub-Committee were highlighted.

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Members asked the Licensing Officer a number of questions including whether drivers were aware of the obligation to notify the licensing office within seven days of receiving a caution or conviction and if there were any other incidents on file. It was explained that when issued with a PHD licence a copy of the policy and guidance was provided to drivers. With the exception of the caution, there were no incidents on file regarding the Appellant's conduct as a PHD.

The Appellant explained the circumstances which had led to him receiving the caution and apologised for failing to inform the licensing department within the required time period. He also brought to Members attention that he had detailed the caution on his renewal application.

The Licensing Officer and Appellant provided a short summary following which they left the meeting.

After careful consideration of all the written information and representations made at the meeting the Sub-Committee –

Resolved - That Appellant 02-21's Private Hire driver Licence be suspended for a period of four weeks and a formal warning be issued regarding future conduct.

Chair

(Note: The Meeting opened at 11.26 am and closed at 12.25 pm)