

Licensing Sub-Committee – Meeting held on Thursday, 2nd December, 2021.

Present:- Councillors H Cheema (Chair), S Parmar and Strutton

Officers Present:- Mrs Ali (Legal Services), Mrs Kauser (Democratic Services) and Ms Rumney (Licensing)

PART 1

10. Declarations of Interest

None were declared.

11. Guidance on Predetermination/ Predisposition - To Note

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

12. 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)

13. Private Hire Driver Conduct Hearing (03-21)

The Chair welcomed all parties to the meeting, explained the procedure for the hearing and confirmed that they had all received a copy of the paperwork.

The Licensing Officer outlined the reasons for referring the matter to hearing. Three separate complaints had been received regarding the Appellant's standard of driving. Following the complaint in July 2019 a formal warning was issued, reminding the Appellant of the standard of driving and conduct expected of private hire drivers. A further complaint was received in April 2021 and the private hire driver licence was suspended, subject to the Appellant passing another practical driving test. In July 2021 Officers received details of an incident involving poor driving conduct and the Appellant was advised that the matter would be referred to the Licensing Sub-Committee for consideration. It was noted that the Sub-Committee were considering whether the Appellant was a fit and proper person to continue to hold a combined Private Hire/Hackney Carriage Driver's (hereinafter referred to as "PHD") licence.

Members asked whether the licensing team had video footage taken from car dash cameras or if the police had been contacted following any of the incidents. The Licensing Officer stated that whilst there was no video footage, three members of the public on different occasions had taken the time to

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contact the Licensing Team as they had concerns relating to the standard of driving they had witnessed.

The Appellant's representative submitted that they had no knowledge of the incident in July 2021 and had accepted the events of July 2019 and April 2021; and done what the Licensing Authority had requested namely take another practical driving test. It was submitted however that the Appellant had not understood that he had received a suspension following the incident in April 2021.

Sub-Committee Members asked a number of questions which included clarification whether the matters referred to were booked jobs or private trips. It was noted that all drivers accepted the terms and conditions of being a licensed driver when they were issued with their badge and that it was their responsibility to ensure that they fully understood and complied with them.

In summing up, the Licensing Officer reiterated that three separate complaints had been received from members of the public and that there were concerns about the driving standards being displayed by the Appellant. It was submitted that following a suspension of the licence in April 2021, a further complaint received in July 2021, highlighted a pattern of behaviour by the Appellant. Options available to the Sub-Committee were highlighted as set out in the report.

The Appellant's representative stated that he had been an employee with his company since 2005 and that they had not received any complaints about driving standards during his time with them.

Following deliberations, Sub Committee Members -

Resolved - That Appellant Reference 03-21's combined PHD/HC Driver's Licence be suspended for a period of two (2) weeks and a formal warning be issued with regard to his future conduct.

Chair

(Note: The Meeting opened at 1.00 pm and closed at 1.52 pm)