

Minutes of the meeting of the LICENSING AND  
APPEALS HEARINGS PANEL held at 9.30 am on  
Monday, 27th October, 2014 at Main Committee  
Room, Civic Centre, Stone Cross, Northallerton

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Present

Councillor Mrs F M Greenwell Councillor Mrs I Sanderson  
R Kirk

LAHP.16 **ELECTION OF CHAIRMAN**

**THE DECISION:**

That Councillor Mrs I Sanderson be elected Chairman for duration of the meeting.

(Councillor Mrs Sanderson in the Chair)

LAHP.17 **EXCLUSION OF THE PUBLIC AND PRESS**

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no LAHP.18 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LAHP.18 **CONDUCT OF LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER**

All Wards

**The subject of the decision:**

The Director of Environmental and Planning Services asked the Panel to consider whether the licence holder was a fit and proper person to continue to hold a Hackney Carriage and Private Hire Driver's Licence.

**Alternative options considered:**

The Panel considered whether any action needed to be taken and, if so, whether to issue an informal reprimand or suspend or revoke the Hackney Carriage and Private Hire Driver's Licence.

**The reason for the decision:**

The Panel considered the relevant representations of the parties, both written and oral, including the witness evidence and character references, the Council's Vehicle and Driver Licensing Policy and the relevant legislation.

Taking account of the above and having given appropriate weight to the evidence the Panel reached the following conclusions:

The Panel heard evidence in relation to a hearing held by the Panel in August 2012 at which the Panel decided to revoke the driver's licence. The Panel concluded that given the time that had lapsed since August 2012 and the dates of the recent complaints no weight was given in respect of the evidence of 2012 hearing.

The Panel heard evidence in relation to the incident on 22 March 2014 and concluded that the driver had been driving in a dangerous manner by driving closely behind another vehicle, weaving from side to side and braking hard.

The Panel also heard evidence in relation to an altercation between the driver subject to this hearing and another driver on 22 March 2014. Whilst satisfied an altercation occurred, the Panel found this to be of limited weight due to the conflicting nature of the parties' evidence.

The Panel heard evidence in relation to an incident on 19 May 2014. The Panel gave little weight to the incident due to the conflicting nature of the parties' evidence.

The Panel heard evidence in relation to an incident that occurred at the beginning of May 2014 and the complaint received on 19 June 2014. The Panel found on the balance of probabilities that the driver's conduct on those occasions had been inappropriate.

**THE DECISION:**

Taking all of the above into account the Panel found that the driver was a fit and proper person. However, due to the concerns raised in respect of the driver's conduct and driving manner the Panel decided that the driver should be issued with a written warning. No further sanction was deemed necessary.

The meeting closed at 11.25 am

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Chairman of the Panel