

Minutes of the meeting of the LICENSING AND
APPEALS HEARINGS PANEL held at 10.00 am on
Wednesday, 2nd December, 2015 at Main Committee
Room, Civic Centre, Stone Cross, Northallerton

Present

Councillor R A Baker
D M Blades

Councillor C Patmore

Apologies for absence were received from Councillor Mrs I Sanderson

LAHP.5 **ELECTION OF CHAIRMAN**

THE DECISION:

That Councillor R A Baker be elected as Chairman of the Panel for the duration of the Hearing.

(Councillor R A Baker in the Chair)

LAHP.6 **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.6 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.7 **APPLICATION FOR A HACKNEY CARRIAGE AND DRIVER LICENCE APPLICATION**

All Wards

The subject of the decision:

The Panel was asked to consider whether to grant or refuse an application for a hackney carriage and private hire vehicle driver licence submitted by the applicant ("Mr C").

Alternative options considered:

The Panel concluded that it was not necessary to refuse the application for the hackney carriage and private hire driver licence.

The reason for the decision:

The Panel considered the Executive Director's report, Mr C's application for a hackney carriage and private hire vehicle driver licence, Mr C's medical assessment and additional information submitted with the application which related to Mr C's medical history, written and oral representations from Mr C, Mr C's DVSA Test Certificate, a letter from Mr C's doctor dated 27th November 2015, the Council's Vehicle and Driver Licensing Policy and the relevant legislation.

The Panel considered the evidence in relation to Mr C's medical history which referred to Mr C having suffered periods of anger, agitation and anxiety as symptoms of depression following an accident in 2010. The Panel heard that Mr C had been treated for depression through the care of the Tees, Esk and Wear Valleys NHS trust and the South Tees Hospitals Trust. The Panel considered and gave appropriate weight to the letter provided by Mr C's doctor dated 27th November 2015 and which was produced in reference to Mr C's application for a driver licence and provided the Panel with an up-to-date report on Mr C's health.

The Panel concluded on the balance of probabilities that Mr C's health was stable and he did not pose a risk to safety of the public.

The Panel concluded that in light of the evidence regarding Mr C's medical history, a condition shall be imposed on Mr C's licence requiring him to submit an annual medical assessment to the Council. The annual medical assessment shall be submitted in writing to the Council to ensure the Council can monitor whether there has been any change to Mr C's status as a fit and proper person to hold a hackney carriage and private hire vehicle driver licence.

THE DECISION:

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

The Panel was satisfied Mr C was a fit and proper person to hold a hackney carriage and private hire driver licence. The Panel granted the application for a hackney carriage and private hire vehicle driver licence subject to an additional condition relating to an annual medical assessment and Mr C passing the Council's knowledge test.

The meeting closed at 10.50 am

Chairman of the Panel