

Present

Councillor Mrs F M Greenwell Councillor Mrs I Sanderson
R Kirk

LAHP.19 **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.20 **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.21 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.21 **CONDUCT OF LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER**

The subject of the decision:

The Director of Environmental and Planning Services asked the Panel to consider whether to revoke a hackney carriage/private hire vehicle driver licence.

Alternative options considered:

The Panel considered whether any action needed to be taken and, if so, whether to revoke the hackney carriage/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 into account the above the Panel reached the following conclusions:

- (1) the Panel heard evidence in relation to complaints received by the Council's Licensing department including an incident on 23 August 2014. The Panel concluded that due to the contradictory nature of the parties' evidence it could give limited weight to those complaints;

- (2) the Panel also heard evidence in relation to an incident on 27 August 2014 and found on the balance of probabilities that the driver had consumed alcohol whilst working as a hackney carriage/private hire driver.

THE DECISION:

Taking account of the above and having given appropriate weight to the evidence the Panel concluded that the driver was not a fit and proper person to hold a hackney carriage and private hire driver licence at the present time. The Panel was satisfied that a permanent revocation was not necessary and that a period of suspension would be sufficient to enable the driver to regain his fitness and propriety. The Panel decided to impose a six month suspension of the driver's licence and due to concerns over public safety the Panel decided to give immediate effect to the suspension.

The Panel also decided that the period of suspension could be proportionately reduced in the event of the driver achieving an enhanced understanding of passenger safety. The Panel decided to offer to reduce the suspension period to three months if the driver undergoes a driving assessment with a passenger safety element included. The suitability of any such assessment would need to be formally approved by the Council's Licensing Officer. If the driver completes the assessment within the first three months of the suspension period the final three months of the suspension period will be disapplied. If the driver completes the assessment during the final three months of the suspension period the remainder of the suspension period will be disapplied.

The meeting closed at 3.00 pm

Chairman of the Panel