

LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Monday, 27 June 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr H Blathwayt (Chairman)
Members Present: Cllr D Birch
Cllr C Cushing

Officers in Attendance: Legal Advisor (LA)
Senior Public Protection Officer (SPPO)
Licensing Enforcement Officer (LEO)
Democratic Services Officer - Regulatory

1 CHAIRMAN'S INTRODUCTION

The Chairman opened the meeting and invited all attendees to introduce themselves and explain their role at the meeting.

2 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

3 ITEMS OF URGENT BUSINESS

None.

4 DECLARATIONS OF INTEREST

None.

5 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A (as amended) to the Act.

6 (WK/220004412) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Licence Applicant

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The SPPO presented his report, outlining the application to the Panel for a 'Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk'. He advised as part of the application process, the Applicant was required to make disclosure of

previous convictions, which subsequently had been received and which contained details about the applicant meriting further consideration.

The Chairman invited the Applicant to speak, who explained that the incident occurred during her previous employment in which she slapped a colleague due to his constant unpleasant and sexist behaviour towards her in the workplace. Although she disagreed with the conviction, she accepted the consequences of her actions.

Cllr C Cushing asked the Applicant if she had previously held a License to drive a Hackney Carriage or Private Hire Vehicle in North Norfolk. The Applicant had held a License under another authority. She explained that the business she was employed with held a contract with Norfolk County Council and had moved the registration of their operation more locally to NNDC.

Cllr H Blathwayt asked the Applicant about their experience working as a Taxi driver, if she had experienced any issues during her employment and if she was content with this work. The Applicant advised she worked transporting vulnerable special educational needs children to school and that she very much enjoyed her role even though it could be challenging at times.

The SPPO reflected that the role held by the Applicant could be stressful, and asked how the Applicant coped with challenging or difficult situations. The Applicant did not consider her job as stressful, though acknowledged it would be challenging. She reflected on her first-hand experiences and advised that many of the routes were supported with an assistant, and that when issues did arise she had worked through the company's procedure and reported daily to her employer updating them as to issues.

In response to further questions from the SPPO, the Applicant advised that not all routes were supported with an assistant, and this was determined by the employer based on need.

The SPPO enquired about the Applicants application form and their HGV experience. The Applicant apologised and stated she had incorrectly marked the wrong box on the form in error. The SPPO followed up, and asked if the Applicant was confident with the rest of the forms content, the Applicant affirmed that they were.

The Applicants employer was invited into the meeting as a witness. He affirmed that the Applicant had been employed with the business for three years during which time she had held a clear record. He stated he was happy to recommend the Applicant to hold a Taxi License. In response to Members questions, the Employer elaborated that the business worked exclusively with Norfolk County Council and held a contract to transport children to SEN schools with the majority of routes taking place within North Norfolk. He advised due to the nature of the work, any issues reported would be investigated even if considered relatively minor.

The SPPO asked if the Applicant had worked as a driver or as an assistant. The Employer affirmed the Applicant had performed both roles.

The SPPO enquired how often drivers would be left to operate journeys alone with children. The Employer advised this was around 50% of the time and that determination was made based on the child's needs.

When invited to do so, the Applicant gave no closing statement.

The Sub-Committee retired at 10.30am and returned at 11.18am

The Chairman recited the decision notice to the Applicant and explained that the Panel had taken into account the SPPO's report the Council's licensing policy, the 'fit and proper persons test' as well as the written and oral evidence put forward at the hearing including that of the Applicants employer. He stated that the Sub-Committee considered the demeanour and conduct of the Applicant at this hearing and determined that she approached this matter with the appropriate amount of tact and seriousness which underscored her suitability to hold a license. The Sub-Committee can reasonably conclude that the Applicant is currently a responsible driver.

RESOLVED

That the licence be granted

The meeting ended at 11.21 am.

Chairman