

LICENSING AND APPEALS SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held on 3 October 2018 in the Council Chamber, Council Offices, Holt Road, Cromer at 10.00 am.

Sub-Committee Mr R Reynolds (Chairman)
Mrs A Claussen-Reynolds
Mr M Knowles

Officers in Attendance: Public Protection Manager, Legal Advisor and Democratic Services & Governance Officer

1 APOLOGIES

Mr P Moore (Mr M Knowles substituting) and Mrs M Millership (Mrs A Claussen-Reynolds substituting).

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 EXCLUSION OF 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A (as amended) to the Act.

5 Review of a Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk (WK/180016804)

Present: Licence Holder

The Chairman introduced the Panel Members and Officers.

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

The Public Protection Manager presented the report. She explained that the Licence Holder was disqualified from driving until 17 February 2019 following an unsuccessful appeal against a ban under the DVLA totting up procedure. He had also failed to notify the Licensing Authority of two speeding convictions as required by the Taxi Handbook for which NNDC penalty points had been applied to his NNDC taxi driving licence.

Councillor Mrs A Claussen-Reynolds noted that there had been four speeding convictions which had not been notified to the Council within seven days and queried why only two had been penalised.

The Public Protection Manager explained that there may have been a delay in the Licence Holder being notified of the points. She circulated an updated DVLA report.

The Chairman invited the Licence Holder to put his case.

The Licence Holder explained that on the first two occasions he had been unaware that he had to notify the Licensing Authority of minor speeding offences until he was informed of the requirement by another operator. One speeding offence was notified in time and on another occasion he was driving a vehicle which was not in his ownership and there was a delay in receiving the points. He put his hand up to the first two occasions but had notified within the timescales once he was aware of the requirement.

In answer to questions by the Sub-Committee, the Licence Holder stated that he had been working at the time of the offences but was not carrying passengers. He gave details of the speeding offences. He confirmed that he had never lost his licence before and had been driving for many years without a conviction. He explained that he was a dedicated long distance driver and drove around 60,000 miles a year, which put him at high risk for minor motoring offences. He stated that he was currently unemployed due to his ban.

The Public Protection Manager asked the Licence Holder if he had learned from being banned and if he had undertaken further driver education.

The Licence Holder explained that he intended to join RoSPA when he had his licence returned and undertake training to improve his road awareness.

There were no further questions and the Licence Holder did not wish to make a closing statement.

The Sub-Committee retired at 10.21 am and returned at 11.14 am.

The Chairman read the decision notice to the Licence Holder. The Chairman advised the Licence Holder that if his DVLA ban was reduced he should approach the Licensing Authority for further consideration. He strongly suggested that the Licence Holder familiarise himself with the Taxi Handbook and reminded him that he should inform the Authority of any future convictions in accordance with the requirements.

RESOLVED

That the Licence be suspended for a period to run concurrently with the DVLA ban.

The meeting closed at 11.18 am

Chairman