

LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Monday, 14 July 2025 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr E Spagnola (Chair)
Members Present:

Cllr P Porter
Cllr J Boyle

Officers in Attendance: Licensing Officer (LO)
Assistant Director for Finance, Assets, Legal & Monitoring Officer (Legal Adviser)
Democratic Services Manager
Democratic Services Officer

1 CHAIRMAN'S INTRODUCTION

The Chair welcomed attendees and explained how the Sub-Committee would run.

2 TO RECEIVE APOLOGIES FOR ABSENCE

None

3 DECLARATIONS OF INTEREST

None

4 ITEMS OF URGENT BUSINESS

None

5 EXCLUSION OF THE PRESS AND PUBLIC

The Chair proposed that the Sub-Committee went into private session for the following reason:

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 12 A (as amended) to the Act.

Cllr Boyle seconded the recommendation, and **it was resolved** unanimously.

6 (WK/250004467) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

The attendees of the Sub-Committee introduced themselves following an invitation by the Chair. The Hackney Carriage and Private Hire Driver ("the Driver") introduced himself.

The Legal Advisor outlined the procedure that would be followed, and the LO

presented the report to the Sub-Committee, detailing that the Driver had held a licence with NNDC since May 2024 without Complaint and without NNDC penalty points. She confirmed he had a clear updated DBS certificate.

She provided the Sub-Committee with details of the 3 speeding issues that have resulted in the Driver having 9 DVLA penalty points. 1 incident predated the granting of the Drivers licence with NNDC. The second incident related to 41 mph in a 30-mph limit. The third, 36 MPH in a 30 MPH limit.

The LO explained the relevant legislation, guidance and policies to the Sub-Committee including the DFT Statutory Taxi and Private Hire Standards (July 2020) and the NNDC Hackney Carriage and Private Hire Policy Handbook.

The LO confirmed the Sub-Committee was being asked to consider whether the Driver remained a “fit and proper” person to continue to hold a NNDC Hackney Carriage and Private Hire Driver’s Licence, she outlined the available actions to the Sub-Committee, allowing the Licence to be retained without condition, to suspend the Licence or to revoke the Licence. The LO explained the Driver’s right of appeal of this decision. Neither the members nor the Driver had any questions for the LO.

The Driver explained the background to his becoming a taxi driver. He explained the circumstances of the 2 more recent speeding incidents, noting that on neither occasion were passengers in the car. He told the Sub-Committee that he had been very focuses on his speed since the first 2 incidents.

Cllr Porter asked the Driver what other steps he would take in the future if the Sub-Committee decided he could retain his Licence. The Driver indicated that he had revisited the highway code and ensured he was able to identify the relevant speed limits depending on the type of road and would consider use of a speed limiter.

On a request from the Chair the LO summarised the facts and the evidence presented. The Driver indicated he had nothing further to add.

The Legal Officer provided the Sub-Committee with advice and noted that the decision of the Sub-Committee was not a punitive one but needed to relate to the objective of public safety. She noted that speeding constitutes a road traffic risk.

She confirmed the options available to the Sub-Committee noting that revocation of the licence was for the most serious matters, with suspension for the less serious matters. She stated that the Sub-Committee would need to have consideration as to whether the issues was a permanent one or more of a temporary one and that in any event their decision needed to a proportionate one.

The Members retired to consider their decision at 10.25 am

The Sub-Committee reconvened at 11.20.

The Chair asked the LA to read out the reasons for its decision.

In deciding the matter, the Sub-committee considered the details of the LO report, the oral representations given by the Driver at the hearing, along with the various guidance available to it, and noted as follows.

1. It has concerns that the three speeding offences all occurred in a 30mph speed limit, and within a short period of time, two of which were within the

first year of being licensed.

2. Taxi drivers are professional drivers charged with the responsibility of carrying the public. Speeding is considered a risk to the other road users and is recognised as such by endorsements in the Road Traffic legislation.
3. The Driver has explained that this is his livelihood and will pay significant attention in the future. He is aware that if he receives another 3 points within the relevant period, he is likely to receive a mandatory 6 month disqualification from the Court.
4. Public safety of road users is a paramount consideration. Whilst the Committee did not think the speeding contraventions, given all the information available, amounted to a permanent failure of the fit and proper test, it considered that a short suspension of the taxi licence would be a proportionate action. A 2-week suspension will provide a period to consider the importance of public safety or road users; the risk that speed represents; and how he will put in place his own ways to address and prevent this happening again.

It was resolved

That a 2- week suspension of the Driver's taxi licence be imposed commencing 21 days from the date of receipt of the decision notice.

The meeting ended at 11.25 am.

Chairman