

LICENSING SUB-COMMITTEE (REGULATORY)

Minutes of the meeting of the Licensing Sub-Committee (Regulatory) held on Tuesday, 23 September 2025 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr E Tooke (Chair)

Members Present:

Cllr J Boyle

Cllr M Batey

Officers in Licensing Officer (LO)

Attendance: Legal Advisor (LA)

Democratic Services Officer (DSO)

7 CHAIRMAN'S INTRODUCTION

The Chair opened the meeting and explained how the meeting would be managed and the procedure to be followed.

8 TO RECEIVE APOLOGIES FOR ABSENCE

None

9 ITEMS OF URGENT BUSINESS

None

10 DECLARATIONS OF INTEREST

None

11 EXCLUSION OF THE PRESS AND PUBLIC

The Chair proposed and Cllr Boyle seconded and it **was resolved unanimously**

That the Sub-Committee went into private session 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.

12 (WK/240009262) - 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 applicant ("the Applicant") introduced himself

The LA explained the procedure of the meeting and the order in which representations would be made.

The LO presented the report to the Sub-Committee, taking the committee through the timeline of events and the issues, namely the disclosure contained within the applicant's enhanced disclosure, the entry on the NR3S database showing a revocation of a licence by another Licensing Authority and the DVLA record showing 14 points for speeding offences.

The LO referred the Sub-Committee to the applicant's caution recorded on his DBS check and the report from the Borough Council of West Norfolk (BCKLWN) detailing their determinations including to revoke the applicant's combined drivers and private hire operators licence.

The LO took the sub-committee through the 4 speeding offences recorded on the applicants DVLA licence, noting that he had a total of 14 points but has retained his DVLA driving licence.

The LO explained the relevant legislation, policies and guidance which were relevant to the sub-committee's consideration. The LO confirmed that the Sub-Committee was being asked to consider whether the Applicant was a "fit and proper person" to hold a NNDC Hackney Carriage and Private Hire Driver's Licence

Following a question from the Chair, the LO confirmed the reasons for the delays during the application process.

The Applicant explained the background to his caution, informing the Sub-Committee that he acted in self-defence. He explained that he believed the trip limiter failed on one of his speeding offences and on another occasion, he had received some bad family news. He suggested on one occasion he was 3 miles over the limit, another 4 miles and a 3rd 15 miles over the speed limit.

Regarding the issues referred to by BCKLWN, he stated the issue with his MOT was down to an error by the garage and he did not realise the accident he had required reporting.

Answering questions from the LA, the Applicant confirmed he had previously attended 2 speed awareness courses in approximately the last 6 years and that he hadn't appealed the revocation of his licences as he did not know how to do that. He denied that he had been verbally aggression at the determination hearing.

The LO summed up the issues and evidence heard by the Sub-Committee, bringing their attention to the options available to them. She referred the Sub-Committee to the "fit and proper person test". The Applicant asked the Sub-Committee to consider that he believed he was a safe and professional driver.

The Sub-Committee retired to consider their decision at 10.41 am

The Sub-Committee reconvened at 11.24 and on request from the Chair, the LA read out their determination.

The Chair asked the LA to read out the determination.

In deciding the application, the Sub-Committee considered the oral representations given by the applicant at the hearing together with all other evidence.

1. At the time of the original application in October 2024, the Applicant had 6 points on his DVLA licence which would meet the threshold for a delegated decision to be made in respect of granting the licence.
2. Between the original application and the submission of all the documentation by August 2025, the Applicant received a further 2 speeding offence disposals amounting to a further 8 points being added to his DVLA licence. This took the total points to 14, which in normal circumstances would have led to disqualification from driving. That the court did not disqualify the Applicant from driving is a matter for the court and not the licensing authority whose principal role is to assess the fit and proper person test to ensure public safety.
3. The DVLA points accrued in a relatively short period of time.
4. The “accident” referred to by the previous licensing authority indicated a lack of care/consideration
5. The 5 DVLA points speeding offence was for travelling at 45 mph in a 30mph zone which indicates a serious lack of concentration regardless of circumstances.
6. The Sub-Committee was mindful of the decision of BCKLWN in revoking the Applicant’s licence and felt that the reasons given remained valid.
7. Collectively, on considering all of the evidence, the Sub-Committee did not believe that the Applicant was a fit and proper person for the purposes of being a licensed driver.
8. Once the applicants points total falls below 9, then he is at liberty to reapply.

Accordingly, **it was resolved** the application for a licence was refused.

The LA informed the Applicant of his right to appeal and suggested that he take advice on this matter.

The meeting ended at 11.25 am.

Chairman