

LICENSING SUB-COMMITTEE

Minutes of the meeting of the Licensing Sub-Committee held on Wednesday, 17 June 2020 remotely via Zoom at 10.00 am

Committee Members: Mr H Blathwayt Mr D Baker
Mr A Yiasimi

Officers in Attendance: Licensing Enforcement Officer, Legal Advisor and Democratic Services & Governance Officer (Regulatory)
Principal Lawyer (observing)

1 TO RECEIVE APOLOGIES FOR ABSENCE

None.

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 (WK/200013682) - APPLICATION FOR A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Applicant (attending remotely)

The Legal Advisor outlined the purpose of the hearing and explained the procedure for the meeting. She reminded the Sub-Committee that the hearing was being conducted remotely via Zoom and must be conducted fairly and reasonably in line with the Applicant's right to a fair trial under Article 6 of the Human Rights Act 1998. In the event of any participant leaving the hearing due to a technical issue, the hearing would not proceed until all parties were present.

The Chairman introduced the Members of the Panel.

The Licensing Enforcement Officer presented the report, which related to an application to drive Hackney Carriage or Private Hire Vehicles in North Norfolk where intelligence had been received which merited further consideration.

In response to questions by the Chairman and the Legal Advisor, the Licensing Enforcement Officer confirmed that the Applicant had informed the Authority of his DVLA points in a timely manner on the two most recent occasions, although she was

unable to confirm if this had been the case previously. No complaints about the Applicant had been received when he previously held a taxi licence.

The Chairman invited the Applicant to present his case.

The Applicant began to present his case but faced technical difficulties/issues. He returned to the meeting shortly afterwards and continued to present his case. He gave details of his driving offences and penalties, none of which had occurred while carrying passengers in his taxi. He gave his utmost assurance that he would not speed again and was aware of the consequences if he did so. He stated that he had learned his lesson and had taken steps to ensure that he did not speed in the future. He wanted to repay the faith his employer and regular customers had shown in him.

The Applicant answered questions from the Sub-Committee.

Councillor D Baker sought clarification as to how the Applicant had learned his lesson and asked if he had attended a speed awareness course.

The Applicant explained that he did not wish to repeat his experiences. He had no excuses or reasons for his actions and knew he had to fully concentrate and be fully accountable for his actions. He reiterated that he wanted to repay the faith people had put in him and wished to return to his taxi driving career. He had a black box from his insurer fitted to his vehicle to record his driving behaviour. He had attended a speed awareness course in the past, although not within the past two years.

Councillor A Yiasimi asked if all speeding offences had been in a 30mph zone.

The Applicant confirmed that this was the case and he had been just over the speed limit.

The Chairman asked if the Applicant carried a pager while driving in connection with his volunteering work and whether or not any of the speeding offences had occurred when responding to a call.

The Applicant stated that he was not on call when working as a taxi driver and would ignore the pager. He confirmed that no offences had occurred when responding to a call.

The Chairman asked the Licensing Enforcement Officer if there was any rule in the Taxi Handbook relating to the carrying of pagers in taxis. The Licensing Enforcement Officer confirmed that there was not.

There being no further questions, the Sub-Committee retired to consider its decision.

RESOLVED

That the licence be granted, subject to a condition to require that until the Applicant has a clean DVLA licence, a DVLA check be undertaken every 3 months by the relevant Licensing Officer at the Council.

In the event of the Applicant incurring any further DVLA penalties the licence will be subject to immediate review by the Licensing Sub-Committee.

The meeting ended at 10.34 am.

Chairman