

LICENSING SUB-COMMITTEE

Minutes of the meeting of the Licensing Sub-Committee held on Monday, 24 May 2021
at the Council Chamber - Council Offices at 10.00 am

Committee Mrs P Grove-Jones (Chairman) Mr P Fisher
Members Present: Mrs G Perry-Warnes

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

1 TO RECEIVE APOLOGIES FOR ABSENCE

None.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

It was noted that the Licence Holder's representative was known to Members of the Sub-Committee.

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 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.

5 (WK/210002362) - REVIEW OF A LICENCE TO DRIVE HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLES IN NORTH NORFOLK

Present: Mr S Heels, Chair of North Norfolk Taxi and Private Hire Association (representing the Licence Holder)

The Members of the Panel and Officers introduced themselves.

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

The Licensing Enforcement Officer presented the report, which related to a review of a licence to drive Hackney Carriage or Private Hire Vehicles in North Norfolk where the Licence Holder's DBS check had revealed a Police caution. The Licensing Authority had no record of having been notified of the caution by the Licence Holder.

The Licensing Enforcement Officer responded to questions by the Legal Advisor with regard to the date of the DBS, length of time the Licence Holder had held a taxi licence and the requirements for notifying the Council of a conviction. She confirmed that no complaints had been received regarding the Licence Holder.

Mr Heels asked the Licensing Enforcement Officer to confirm that the Council had no record of the offence being reported but could not categorically confirm that the Licence Holder had not done so.

The Licensing Enforcement Officer stated that the Council had no record that the offence had been reported, and that she had checked the Licensing Team's records and Post Room records.

The Chairman invited Mr Heels to present the Licence Holder's case.

Mr Heels explained that the caution related to a 1m metal bar that had been spotted in the open boot of the Licence Holder's car by a Police Officer at a time of high terror alert. The Police Officer had not accepted the Licence Holder's explanation that he carried the bar to assist with changing a wheel and had arrested him. Mr Heels added that he carried a similar bar for that purpose, as did many taxi drivers, as it gave better leverage than the one supplied with the vehicle.

Mr Heels answered questions by the Sub-Committee and Licensing Enforcement Officer regarding the incident.

Mr Heels cited his own experience of applying for licences for his vehicles where the Council could find no record of one of the applications that he had submitted. He stated that during discussions on the review of the Taxi Handbook and Policy, requests had been made for the Council to routinely acknowledge receipt of correspondence.

The Licensing Enforcement Officer explained how correspondence was handled and stated that an acknowledgement could be sent if an email address was provided. The Chairman requested that Mr Heels feed back to the members of his Association.

Councillor Mrs Perry-Warnes asked if the Licence Holder had said that he had notified the Council of his caution, how such notification would be handled by the Council and how it would affect the renewal of a licence.

Mr Heels explained that the Licence Holder was not computer literate and could not be certain that he had notified the Council of the caution.

The Licensing Enforcement Officer explained that notifications would be recorded on the Licensing database and a subsequent renewal application would be heard by the Sub-Committee.

Councillor Mrs Perry-Warnes asked Mr Heels if it was likely that someone would follow up a lack of response from the Council to a notification.

Mr Heels explained that the Licensing Department did not routinely respond to correspondence so they would not expect to hear anything back.

The Chairman requested that Mr Heels inform his members that they should make a note of when they sent notifications of points etc. to the Council so it was easier to

ascertain that it had been done.

Mr Heels stated that since his involvement with the Association he had become aware of the varying levels of literacy among the driving profession, with some having difficulty with basic literacy or technology.

The Licensing Enforcement Officer stated that literacy was not a mitigating factor and someone else must be able to carry out those tasks for them.

The Chairman asked if the Licence Holder had appeared before the Sub-Committee since 2012.

The Licensing Enforcement Officer stated that she was not aware of the Licence Holder appearing before the Sub-Committee.

The Licensing Enforcement Officer responded to questions in respect of items that could be carried by drivers for protection. She mentioned other aspects of the driving work carried out by the Licence Holder.

There being no further questions, the Chairman invited Mr Heels to make a closing statement.

Mr Heels stated that the Licence Holder had asked him to highlight that the Licence Holder had received many awards in his professional driving career.

The Sub-Committee retired at 10.40 am and returned at 12 noon.

RESOLVED

That the Licence Holder is found to be a fit and proper person to continue to hold a Licence to drive Hackney Carriage and Private Hire Vehicles and that a condition be attached to his licence to require that Mr Steve Heels, as his representative, is to keep a record of any transaction that the Licence Holder has with the Council's Licensing Team.

The meeting ended at 12.10 pm.

Chairman