

Present

Councillor Mrs I Sanderson (In the Chair)

Councillor S P Dickins
Mrs F M Greenwell

Councillor J Noone

(An apology for absence was received from Councillor R A Baker)

LHP.11

MINUTES

THE DECISION:

That the minutes of the meeting of the Panel held on 15 August 2012 (LHP.9 - LHP.10), previously circulated, be signed as correct records.

LHP.12

LOCAL GOVERNMENT ACT

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no LHP.13 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LHP.13

REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

All Wards

The subject of the decision:

The Director of Leisure and Health asked the Panel to consider whether to revoke a hackney carriage/private hire vehicle driver licence.

Alternative options considered:

The Panel considered whether any action needed to be taken and, if so, whether to revoke the hackney carriage/private hire driver's licences.

The reason for the decision:

The Panel considered the relevant representations of the parties, both written and oral, including the witness evidence and character references, the Council's Vehicle and Driver Licensing Policy and the relevant legislation.

Taking account of the above and having given appropriate weight to the evidence the Panel reached the following conclusions:-

The Panel gave very little weight to the incident on 1 January 2012 due to the contradictory and conflicting nature of the evidence.

With regard to the incident on 23 January 2012, the Panel noted that the driver had admitted overloading his vehicle with two unauthorised passengers. The Panel considered this to be a very serious incident, in particular in the light of the later incidents set out below.

The Panel heard evidence in relation to the incident on 13 June 2012. The Panel on balance accepted the evidence of the complainant passengers and, therefore, concluded that the incident had taken place as alleged by them.

Similarly the Panel heard evidence regarding the incident on 12 July 2012. The Panel on balance accepted the evidence of the complainant member of the public and, therefore, concluded that the incident had taken place as alleged by him.

The Panel also heard evidence regarding the offences for which the driver has been charged by the Police. The Panel noted the driver had not been convicted of any offences and his denial of the allegations. Nevertheless the Panel was concerned about these matters.

THE DECISION:

Taking all of the above into account the Panel decided that the driver was not a fit and proper person to hold a hackney carriage and private hire driver's licence.

The Panel, therefore, revoked the driver's hackney carriage and private hire driver's licences.

The meeting closed at 3.00pm.

Chairman of the Panel