

Present

Councillor R A Baker (In the Chair)

Councillor K G Hardisty
J Noone

Councillor Mrs S A Shepherd

(An apology for absence was received from Councillor N A Knapton)

LHP.4

MINUTES

THE DECISION:

That the minutes of the meeting of the Panel held on 30 August 2011 (LHP.1 - LHP.3), previously circulated, be signed as a correct record.

LHP.5

THE LOCAL GOVERNMENT ACT 1972

THE DECISION

Under Section 100(A)(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 Nos. LHP.6 and LHP.7 on the grounds that they 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.6

REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

Easingwold Ward

The subject of the decision:

The Head of Regulatory Services asked the Panel to consider whether to suspend or 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 suspend or revoke the hackney carriage/private hire driver licence.

The reason for the decision:

Having taken into account the relevant representations of the parties, verbally and in writing, the relevant legislation and the Council's Statement of Licensing Policy, the Panel found the following:-

- (1) the driver admitted that the incident had taken place;

- (2) the Panel noted however that the parties disagreed on the motives for the incident;
- (3) the Panel gave credit for the driver's previous good conduct and noted the character references produced; and
- (4) the Panel still considered this to be a serious incident which required a sanction.

THE DECISION:

That the driver apologise to the complainant and also be issued with a written warning regarding his conduct.

LHP.7

REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

All Wards

The subject of the decision:

The Head of Regulatory Services asked the Panel to consider whether to suspend or 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 suspend or revoke the hackney carriage/private hire driver licence.

The reason for the decision:

Having taken into account the relevant representations of the parties, verbally and in writing, the relevant legislation and the Council's Statement of Licensing Policy, the Panel found the following:-

- (1) the driver had failed to notify the Council he had received fixed penalty points for driving offences in 2010 as he was required to do;
- (2) the driver had attended Magistrates' Court following receipt of 12 penalty points under the "totting up" procedure.;
- (3) although the Court had not disqualified the driver due to exceptional hardship, the Panel noted that the driver had more than one job so was not solely reliant on the income from driving taxis; and
- (4) the Panel considered that the driver was not a fit and proper person to hold a hackney carriage/private hire driver's licence.

THE DECISION:

That the hackney carriage/private hire driver's licence be revoked.

The meeting closed at 12.05pm

Chairman of the Panel