

## **Licensing and Appeals Sub Committee Hearing Panel**

### **Minutes of the meeting held on Monday, 12 August 2019**

**Present:** Councillor Stone – in the Chair

**Councillors:** Lyons and Andrews

#### **LACHP/19/81. Exclusion of the Public**

A recommendation was made that the public is excluded during consideration of the items of business.

#### **Decision**

To exclude the public during consideration of the following items which involved consideration of exempt information relating to the financial or business affairs of particular persons, and public interest in maintaining the exemption outweighed the public interest in disclosing the information.

#### **LACHP/19/82. Review of hackney carriage licence and private hire licence (AK)**

The Committee considered the content of the report and the representations of the driver. Given the seriousness of the allegations and the fact that a police investigation was still ongoing the Committee could not be satisfied that the licence holder is a fit and proper person, therefore the Committee considered it necessary and proportionate to suspend the licence with immediate effect pending the completion of the police investigation and the determination of any potential court proceedings.

#### **Decision**

To suspend the licence with immediate effect on the grounds of public safety pending the outcome of the criminal investigation or any criminal proceedings which arise from the allegations.

#### **LACHP/19/83. Review of a Private hire driver licence (CZM)**

The Committee considered the content of the report submitted and the representations of the driver. Given the seriousness of the allegations and the fact that a police investigation was still ongoing the Committee could not be satisfied that the licence holder is a fit and proper person, therefore the Committee considered it necessary and proportionate to suspend the licence with immediate effect pending the completion of the police investigation and the determination of any potential court proceedings.

#### **Decision**

To suspend the licence with immediate effect pending the outcome of the criminal investigation and any potential criminal proceedings which may follow.

**LACHP/19/84.            Review of a Private hire driver licence (AA)**

The Committee considered the content of the report submitted and the representations made by the driver and on his behalf. In making its decision the Committee gave no weight to the passenger complaint in relation to an alleged incident 18 February 2019. The Committee noted that as a result of the complaint the licence holder had been removed by Uber from its platform and had admitted that he had thereafter used the identity of another driver to gain access to the Uber platform in order to carry out private hire work under another person's identity. The Committee considered this to be a breach of trust of the person whose identity he had assumed as well as being an act which was dishonest towards both Uber and the passengers. The passengers would have assumed that the driver was approved by Uber and this act was designed to mislead them. It is important for passenger safety that drivers can be identified. Honesty is a very important quality in a licensed driver and it is important that the Local Authority can trust drivers to be honest in their dealings both with the public and with the Council itself. The Committee is not satisfied that the licence holder is a fit and proper person.

**Decision**

To revoke the licence.