
Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 24 May 2021

Present: Councillor Ludford (Chair) – in the Chair

Councillors: Grimshaw and Lynch

LACHP/20/31. Exclusion of the Public

A recommendation was made that the public be excluded during consideration of the following 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/20/32. Review of a Hackney Carriage Driver Licence - MBN

The Licensing Unit officer confirmed to the Hearing Panel that they were not able to contact MBN to have them join their virtual hearing and that MBN had been due to appear in front of the Hearing Panel in March and April.

The Hearing Panel took the decision that MBN had been given enough opportunity to attend and listened to the Licensing Unit officers statement from the report concerning MBN's Ply For Hire conviction.

The Licensing Unit officer confirmed that MBN's Privat Hire Driver Licence had expired and that the Hackney Carriage Licence was valid until November 2021.

The Hearing Panel felt that MBN should have a good understanding of how Ply For Hire affects the Hackney Carriage trade as a holder of both licences and felt it necessary to revoke MBN's licence.

Decision

To revoke MBN's licence.

LACHP/20/33. Application for a new Private Hire Driver Licence - TM

The Hearing Panel considered the content of the report and the written and oral representations made by the Licensing Unit officer and TM.

The Licensing Unit Officer informed the Hearing Panel that TM has a disqualification from 2017 due to driving a friend's car without a licence. The Licensing Unit officer

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confirmed that TM had passed their driving licence test after the disqualification had elapsed in 2018 but TM failed to disclose this on their application form.

TM addressed the Hearing Panel and stated that they had only noticed a section on the application form asking about criminal convictions and missed the wording asking for details of traffic convictions. TM explained that they contacted the Licensing Unit to double check after completing the application on advice from a friend.

During questioning it was clarified that TM had driven a 3.5 ton Luton Van with a friend when they were caught driving without a licence.

In their deliberations the Hearing Panel felt that TM had kept a clean record since the conviction in 2018 but felt that a warning should be attached to the licence to remind TM of future conduct.

Decision

To grant TM's licence with a warning.

LACHP/20/34. Review of a Hackney Carriage Driver Licence - RA

The Hearing Panel considered the content of the report and the written and oral representations made by the Licensing Unit officer and RA.

The Licensing Unit officer informed the Hearing Panel that RA had failed to declare a simple caution on their 2019 licence renewal in regard to a violence matter and also did not submit a DBS certificate when requested to do so.

RA addressed the Hearing Panel and stated that the caution was due to an argument with their spouse. RA stated that they had forgotten about the incident on application and also stated that they had emailed a copy of the DBS form but was not aware that the Licensing Unit would only accept physical copies.

During questioning RA had stated that he had pushed their spouse and that things were amicable between them now.

In their deliberations the Hearing Panel felt that RA's offence was within the guidelines and that a suspension of three months was necessary for RA to understand the gravity of their lack of declaration and compliance in sending in a physical copy of the DBS certificate.

Decision

To suspend RA's licence for a period of three months.

LACHP/20/35. Review of a Hackney Carriage Driver Licence - SMM

The Hearing Panel considered the content of the report and the written and oral representations made by the Licensing Unit officer, SMM and their appointed representative and interpreter.

Decision

To issue NI with a warning.