

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

### **Minutes of the meeting held on Monday, 29 March 2021**

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

**Councillors:** Hassan and Hewitson

#### **LACHP/20/17. 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/20/18. Application for a New Private Hire Driver Licence - AW**

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

The Licensing Unit Officer informed the Hearing Panel that AW has several convictions for fraud which had not been declared on application. The Licensing Unit Officer confirmed to the Hearing Panel that the convictions fell within the guidelines.

AW addressed the Hearing Panel to give their version of events stating that they had worked at a shop that was selling fake goods. AW explained that they were younger at the time and needed the work. AW addressed the issue of not declaring the offence on their application, claiming that they had applied for another type of licence and the offence had not shown on the DBS check at that time. AW added that they took advice from a friend who stated that they would not have to declare the offence as it had not shown on the DBS documentation.

In their deliberations, the Hearing Panel noted the potentially dishonest act on AW's part but accepted that a misunderstanding could genuinely have been the reason for this. The Hearing Panel accepted that AW was a fit and proper person but considered that a warning should be attached to remind AW about expectations for their future conduct.

#### **Decision**

To grant the application with a warning.

#### **LACHP/20/19. Review of a Hackney Carriage Driver Licence - MBN**

The Hearing Panel were informed by the Licensing Unit Officer that MBN had requested a deferral of the hearing due to family commitments.

### **Decision**

To defer the hearing until the next available date.

### **LACHP/20/20.            Review of a Hackney Carriage Driver Licence - MS**

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

The Licensing Unit Officer informed the Hearing Panel that MS had been caught speeding, incurring 6 points on their licence and that there were also historical details to consider.

MS addressed the Hearing Panel and explained that they had been travelling to catch a ferry to France last year for the funeral of a relative. MS had hired a vehicle for the journey but had missed the ferry and was driving back the same day on a stretch of motorway with no overhead lighting. Due to the lack of outside lighting and the capability of the hired vehicle, MS claimed that they had not realised the speed at which they were travelling until MS noticed the flash of a speed camera.

In their deliberations the Hearing Panel felt that MS had acted irresponsibly and were deeply concerned at the speed which MS had been caught travelling and decided that a suspension of the licence was appropriate.

### **Decision**

To suspend MS's licence for 3 months.

### **LACHP/20/21.            Review of a Hackney Carriage Driver Licence - FAC**

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

The Licensing Unit officer informed the Hearing Panel that FC had a police warrant implemented to search their home and seize computer and mobile phone equipment as part of a police operation due to an allegation of a very serious nature. FC's licence had been suspended with immediate effect on the Licensing Unit being made aware.

FC addressed the Hearing Panel and stated that they had complied with all police requests and given a 'no comment' interview.

In their deliberations, the Hearing Panel considered that this was a very serious allegation and noted that FC remained under investigation until the outcome of forensic inspections. Therefore, the Hearing Panel felt that it was appropriate to suspend FC's licence with immediate effect until the outcome of these investigations.

## **Decision**

To suspend FC's licence with immediate effect until the outcome of the criminal investigation and/or court proceedings when the matter will be referred back to the Sub-Committee for consideration.

### **LACHP/20/22.            Review of a Private Hire Driver Licence - MS**

At the opening of the hearing MS declared that they would need an interpreter to continue. The Licensing Officer informed the Hearing Panel that the opportunity to appoint an interpreter had been explained to MS several times prior to the hearing.

The Hearing Panel felt that MS should have the opportunity to fully understand the hearing and made the decision to defer the matter until the next available date.

## **Decision**

To defer the hearing until the next available date.