

Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 20 September 2022

Present: Councillor Hassan – in the Chair

Councillors: Evans and T Judge

LACHP/20/113. 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/20/114. Review of a Private Hire Driver Licence - ZRK

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The oral and written accounts made by the Licensing Unit officer, the Licence Holder and their representative were also considered.

In reaching its decision, the Hearing Panel took into consideration the Statement of Policy and Guidelines. In doing so, the Hearing Panel recognised that the conviction fell within guidelines for refusal. However, the Panel accepted the Applicant's submissions of remorse and resolved to issue a warning as to future conduct on this occasion.

Decision

To issue a warning as to future conduct.

LACHP/20/115. Renewal of a Hackney Carriage Driver Licence - TM

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The oral and written representations made by the Licensing Unit officer and the Licence Holder were also considered.

In reaching its decision, the Hearing Panel took into consideration the Statement of Policy and Guidelines. Having carefully considered all of the representations, the Hearing Panel accepted the Licence Holder's account of the circumstances surrounding the incident and resolved to grant the renewal but place a warning on the licence holders record in respect of future conduct.

Decision

To grant the renewal and issue a warning as to future conduct.

LACHP/20/116. Renewal of a Private Hire Driver Licence - ZA

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The oral and written representations made by the Licensing Unit officer and the Applicant were also considered.

In reaching its decision, the Hearing Panel took into consideration the Statement of Policy and Guidelines. In doing so, the Hearing Panel recognised that the guidance stated that convictions of this nature were unlikely to be considered favourably. However, noting the circumstances outlined by the Licence Holder, the Hearing Panel resolved to grant the renewal and place a warning as to future conduct.

Decision

To grant the renewal and attach a warning as to future conduct.

LACHP/20/117. Review of a Hackney Carriage Driver Licence and Private Hire Driver Licence - MM

This matter was deferred until the 17 October 2022 as the Licence Holder had provided notice that he was unable to attend the hearing.

Decision

To defer consideration until 17 October 2022.

LACHP/20/118. Renewal of a Private Hire Driver Licence - SYI

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The oral and written representations made by the Licensing Unit officer and the Applicant were also considered.

In reaching its decision, the Hearing Panel also took into consideration the Statement of Policy and Guidelines. In doing so, the Hearing Panel recognised that one of the convictions had subsequently fallen outside of the guidelines due to the Licence Holder's failure to notify the Authority with the remaining conviction falling within the guidelines for refusal. The Hearing Panel took a dim view of the failure to notify and could not be satisfied that the Licence Holder was a fit and proper person to hold such a licence.

Decision

To refuse the renewal of the Private Hire Driver's Licence.

LACHP/20/119. Review of a Private Hire Driver Licence - IS

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The oral and written representations made by the Licensing Unit officer and the Applicant were also considered

In reaching its decision, the Hearing Panel took into consideration the Statement of Policy and Guidelines. Having carefully considered all of the representations, the Hearing Panel accepted the Licence Holder's account of the circumstances surrounding the incident and resolved it be an isolated incident. The Panel therefore decided to issue a formal warning as to future conduct.

Decision

To issue a warning as to future conduct.

LACHP/20/120. Renewal of a Private Hire Driver Licence - AUA

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The oral and written representations made by the Licensing Unit officer and the Applicant.

In reaching its decision, the Hearing Panel took into consideration the Statement of Policy and Guidelines and in doing so, noted that the offences fell within the guidelines for refusal. The Panel re-emphasised the obligation on the Licence Holder to declare relevant convictions to the Authority and resolved to issue a final warning with regard to potential sanctions, should this error be repeated.

Decision

To issue a warning as to future conduct.