

LICENSING SUB-COMMITTEE

Thursday 19 June 2025

Present:

Councillors Holland, Snow and Williams, R

Also Present:

Legal Advisor, Principal Licensing Officer, Assistant Democratic Services Officer,
Democratic Services Officer and Legal Apprentice

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APPOINTMENT OF CHAIR

Councillor Snow was appointed as Chair for this meeting.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

TOWN POLICE CLAUSES ACT 1847

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HEARING TO DETERMINE WHETHER A HOLDER OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE IS A FIT AND PROPER PERSON TO HOLD A THE LICENCE

The Chair introduced the Licensing Sub Committee Members and Officers.

The Licensed Driver had been referred to the Licensing Sub Committee to determine if he was a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Solicitor set out the procedure for the hearing and the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Solicitor stated that evidential burden was not on the Licensed Driver to prove he was fit and proper but for the Licensing Sub-Committee to be satisfied on the balance of probabilities that the Licensed Driver was no longer a fit and proper person. Every case before the Licensing Sub-Committee was heard on its individual merits and its paramount concern is the safety of the travelling public.

The Principal Licensing Officer presented the report to the Licensing Sub Committee setting out the relevant aspects of the Council's Taxi policy.

The Licensed Driver stated:

- that he had been confused by the lights being close together, and did not realise that the red light had been for his lane;
- at the time of receiving his 'Notice of Intended Prosecution' he was having personal problems and he had forgotten to inform the Council of the 3 points which was a condition of his licence.

In response to questions from Members, Solicitor, and the Licensing Officer, the Licensed Driver provided the following comments:

- when he drove through the red light it had been his last job of the day;
- he had forgotten about his 3 points when he made his declaration in his application, and acknowledged his mistake by not disclosing this; and
- his car now has a black box installed.

RESOLVED that the Licensing Sub-committee was satisfied that the Applicant was a fit and proper person to hold a driver's licence for a Hackney Carriage/Private Hire Vehicle but a written warning and 12 penalty points would be issued in accordance with the Council's Taxi Policy for failure to notify the Licensing Authority of a conviction at the time of the incident and failing to specify the conviction in his renewal application

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HEARING TO DETERMINE WHETHER AN APPLICANT FOR A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE IS A FIT AND PROPER PERSON TO HOLD A THE LICENCE

The Chair introduced the Licensing Sub Committee Members and Officers.

The Licensed Driver had been referred to the Licensing Sub Committee to determine if he was a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Solicitor set out the procedure for the hearing and the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Solicitor stated that every case before the Licensing Sub-Committee was heard on its individual merits and its paramount concern is the safety of the travelling public.

The Principal Licensing Officer presented the report and gave evidence in respect of the application.

The Licensed Driver stated:

- that he had been a taxi driver for 16 years and never had a problem;
- when he was caught speeding, he had been coming back from Taunton and was having a panic attack as his son was unwell;
- if he was able to become a taxi driver again, it will help him a lot as he needs to support his family; and
- the Licensed Driver expressed his regret about speeding and gave his apologies.

In response to questions from Members, Solicitor and the Licensing Officer, the Licensed Driver provided the following comments:

- he had been driving at 78 and 83 MPH on the M5 when he was caught speeding;
- did not do speed awareness course, took the points and the fine instead; and
- there have been no other incidents in relation to driving since this happened.

RESOLVED that the Licensing Sub-committee was satisfied that the Applicant was a fit and proper person to hold a driver's licence for a Hackney Carriage/Private Hire Vehicle

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**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION
OF PRESS AND PUBLIC**

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following item on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part I, Schedule 12A of the Act.

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**HEARING TO DETERMINE WHETHER AN APPLICANT FOR A HACKNEY
CARRIAGE / PRIVATE HIRE DRIVERS LICENCE IS A FIT AND PROPER
PERSON TO HOLD A THE LICENCE**

The Chair introduced the Licensing Sub Committee Members and Officers.

The driver had been referred to the Licensing Sub Committee to determine if he was a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Solicitor set out the procedure for the hearing and the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Solicitor stated that evidential burden was not on the Licensed Driver to prove he was fit and proper but for the Licensing Sub-Committee to be satisfied on the balance of probabilities that the Licensed Driver was no longer a fit and proper person. Every case before the Licensing Sub-Committee was heard on its individual merits and its paramount concern is the safety of the travelling public.

The Principal Licensing Officer presented the report and gave evidence in respect of the application.

The Applicant spoke in support of the application and was asked questions by the Licensing Sub-Committee.

RESOLVED that the Licensing Sub-committee was satisfied that the Applicant was a fit and proper person to hold a driver's licence for a Hackney Carriage/Private Hire Vehicle.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

(The meeting commenced at 10.02 am and closed at 12.50 pm)

Chair