

Item 16

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

2nd October, 2018

Present: Councillors C Wraith MBE (Chair), Lofts and Sixsmith MBE together with Councillor Sumner (Reserve Member).

Members of the Public and Press were excluded from all meetings.

1 Declarations of Interests

There were no declarations of pecuniary or non-pecuniary interest from Members in respect of items on the agenda.

2 Hackney Carriage and Private Hire Driver's Licence – Application – Mr K A

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr K A.

Mr K A was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that in view of the evidence submitted and, taking account of the manner in which he presented himself, the applicant was a fit and proper person to hold such a licence and the application was granted until 8th March, 2021 on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions in relation to migrant workers
- He entered the country as an asylum seeker in 2015, became a naturalised citizen in 2016 and had the right to live and work in the UK until 8th March, 2021
- He had undertaken a course of study at college in Sheffield and had an excellent command of the English language which he had learned in a very short space of time
- Whilst resident in his country of origin he had confirmed that he had no criminal convictions recorded against him
- His Enhanced DBS check had come back clear and had been since he came into the UK

The decision of the Panel was unanimous.

3 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr M C

The Panel considered a report of the Service Director Legal Services requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr M C.

Mr M C was in attendance together with Mr D W (Licensing Consultant) who gave evidence in support of his case. They referred to a reference submitted prior to the

meeting and they circulated a further reference and photographic evidence in support of his case.

After considering all the information and representations made the Panel decided that Mr M C be allowed to retain his licence subject to him undertaking and passing, at his own expense, a Council Approved Driver Awareness Course within three months and also the issuing of a Written Warning to be kept on file for 12 months as to his future conduct

4 Hackney Carriage and Private Hire Driver's Licence – Application – Mr A T

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr A T.

Mr A T was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that in view of the evidence submitted and, taking account of the manner in which he presented himself, the applicant was a fit and proper person to hold such a licence and the application was granted on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions in relation to migrant workers
- He entered the country as an asylum seeker in 2011, became a naturalised citizen in 2017 and had indefinite right to live and work in the UK
- He had lived in the UK for a number of years, had held a position of work and had run his own business
- Whilst resident in his country of origin he had confirmed that he had no criminal convictions recorded against him
- He had an excellent command of the English Language
- His Enhanced DBS check had come back clear and had been since he came into the UK

The decision of the Panel was unanimous

30th October, 2018

Present: Councillors C Wraith MBE (Chair), Ennis OBE and Newing together with Councillor Shepherd (Reserve Member).

Councillor Ennis OBE left the meeting prior to item 6 and his place was taken by Councillor Shepherd.

5 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr S M

The Panel considered a report of the Service Director Legal Services requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr S M.

Mr S M was in attendance and gave evidence in support of his case. He also submitted an email from his solicitor explaining the circumstances of his case together with a copy of his recently returned DBS Certificate.

After considering all the information and representations made the Panel decided that the Hackney Carriage and Private Hire Driver's Licence held by Mr S M be revoked as he was not considered to be a fit and proper person to hold such a licence due to his failure to adhere to licensing conditions and concerns about the safety for the travelling public.

The decision of the Panel was unanimous

6 Hackney Carriage and Private Hire Driver's Licence – Application – Mr J C F

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr J C F.

Mr J C F was in attendance together with Mr D W (Licensing Consultant) who gave evidence in support of his case. The Panel also received a second reference from a Charity for whom the applicant worked in a voluntary capacity.

After considering all the information and representations made the Panel decided that application by Mr J C F be refused due, amongst other things, to the previous revocation of his Hackney Carriage and Private Hire Driver's Licence and the insufficient time that has elapsed since that occurred.

The decision of the Panel was unanimous.

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