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BARRY KEEL
Chief Executive
Floor 1 - Civic Centre
Plymouth
PL1 2AA

www.plymouth.gov.uk/democracy

Date: 22/03/11 Telephone Enquiries 01752 307990 Fax 01752 304819

Please ask for Ross Johnston, Democratic Support Officer e-mail ross.johnston@plymouth.gov.uk

LICENSING COMMITTEE (HACKNEY CARRIAGE)

DATE: THURSDAY 31 MARCH 2011
TIME: 10AM
PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO THE CIVIC CENTRE)

Members –
Councillor Fox, Chair
Councillor Delbridge, Vice Chair
Councillors Bowie, Drean, Haydon, Rennie and Reynolds

Members are invited to attend the above meeting to consider the items of business overleaf

Members and Officers are requested to sign the attendance list at the meeting.

Please note that, unless the Chair agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used during meetings.

BARRY KEEL
CHIEF EXECUTIVE

LICENSING COMMITTEE (HACKNEY CARRIAGE)

PART I (PUBLIC COMMITTEE)

AGENDA

1. APOLOGIES

To receive apologies for non-attendance submitted by Committee Members.

2. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this Agenda.

3. MINUTES

(Pages 1 - 6)

To confirm the minutes of the meeting held on 3 March 2011.

4. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. APPEAL CASES

The Committee will be provided with the results of the judgement on appeal cases that went to Court.

6. LICENSED PRIVATE HIRE DRIVER REVIEW OF DRIVER LICENCE STATUS - P SICH **(Pages 7 - 12)**

The Director for Community Services will submit a report on a licensed driver review of licence status.

7. LICENSED PRIVATE HIRE DRIVER REVIEW OF DRIVER LICENCE STATUS - S QUENAULT **(Pages 13 - 18)**

The Director for Community Services will submit a report on a licensed driver review of licence status.

8. EXEMPT INFORMATION

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 3 and 7 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE COMMITTEE)

MEMBERS OF THE PUBLIC TO NOTE:

that under the law, the Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

9. LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF DRIVER LICENSE STATUS - PMI (E3 AND E7) (Pages 19 - 24)

The Director for Community Services will submit a report on a licensed hackney carriage driver review of licence status.

10. LICENSED PRIVATE HIRE DRIVER REVIEW OF DRIVER LICENCE STATUS - DG (E3 AND E7) (Pages 25 - 30)

The Director for Community Services will submit a report on a licensed driver review of licence status.

LUNCH 1PM - 2PM

11. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - KPS (E3 AND E7) (Pages 31 - 36)

The Director for Community Services will submit a report on the application for the grant of a private hire driver's licence.

12. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - SAS (E3 AND E7) (Pages 37 - 42)

The Director for Community Services will submit a report on the application for the grant of a private hire driver's licence.

13. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - LAO (E3 AND E7) (Pages 43 - 48)

The Director for Community Services will submit a report on the application for the grant of a private hire driver's licence.

14. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - DRM (E3 AND E7) (Pages 49 - 56)

The Director for Community Services will submit a report on the application for the grant of a hackney carriage driver's licence.

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Licensing Committee (Hackney Carriage)

Thursday 3 March 2011

PRESENT:

Councillor Fox, in the Chair.
Councillor Delbridge, Vice Chair.
Councillors Drear, Haydon, Rennie and Reynolds.

Apologies for absence: Councillor Bowie

The meeting started at 10.00 am and finished at 3.35 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

126. DECLARATIONS OF INTEREST

There were no declarations of interest made by councillors in accordance with the code of conduct.

127. MINUTES

Agreed that the minutes of the meeting held on 3 February 2011 are confirmed as a correct record.

128. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

129. APPEAL CASES

The Committee was informed that there was a successful court appeal against the revocation of a Hackney Carriage driver's licence at a previous Committee hearing.

130. LICENSED PRIVATE HIRE DRIVER REVIEW OF DRIVER LICENCE STATUS - L M TANASE

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from Mr Tanase;
- (c) heard from Mr Tanase's representative;
- (d) heard details of Mr Tanase's convictions;

- (e) taken into account that –
- (i) Mr Tanase contacted the Licensing Department by telephone in November 2010 to bring their attention to the penalty points he received in September 2009 and again by telephone in December 2010 to advise the Licensing Department that he had received points on his licence in February 2010 and December 2010;
 - (ii) Mr Tanase was not acting in his capacity as a taxi driver during any of the offences. There had been no complaints, fixed penalties, further convictions since the date of his last offence in February 2010 and he had now taken steps to improve his driving.

However, Members were concerned that –

- (iii) despite his claim that he reported one offence, none of the convictions or fixed penalty notices were brought to the Licensing Department in the correct manner despite considerable opportunities to do so and the very recent VRQ training. Mr Tanase had therefore breached the terms and conditions of his private hire driver's licence on three occasions;
- (iv) Mr Tanase committed two speeding offences and accumulated seven points on his licence during the probationary period of his licence;
- (v) Mr Tanase had accumulated a total of 10 points on his driving licence, all of which had been acquired since he received his private hire driver's licence.

Agreed that the decision of the Committee today is therefore that Mr Tanase's conviction and fixed penalty notices all relate to motoring offences committed since the commencement of his employment as a private hire driver.

The offences give rise to concerns regarding his attention to the road and his attitude to public safety. In addition, not reporting the penalty notices and conviction indicates a disregard for the conditions of his private hire driver's licence.

Members consider it a reasonable and proportionate decision to apply their powers under s19 (1) (b) of the Plymouth City Council Act 1975 and suspend Mr Tanase's licence for five days in respect of the non-reporting of his offences and to give him a warning in respect of the offences themselves. This warning will be placed on Mr Tanase's file and will be brought to the attention of the committee should he be brought before them for any reasons in the future.

131. **EXEMPT INFORMATION**

Agreed that under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public are excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of confidential/exempt information as defined in paragraph 3 and 7 of Part 1 Schedule 12A of the (Local Government Access to Information) Act 1985, as amended by the Freedom of Information Act 2000.

132. **CONFIDENTIAL MINUTES (E3 AND E7)**

Agreed that the confidential minutes of the meeting held on 3 February 2011 are confirmed as a correct record.

133. **LICENSED PRIVATE HIRE DRIVER REVIEW OF DRIVER LICENCE STATUS - JMF (E3 AND E7)**

Agreed that as the report has now been produced this item has now been withdrawn.

134. **LICENSED PRIVATE HIRE DRIVER REVIEW OF DRIVER LICENCE STATUS - RCM (E3 AND E7)**

Agreed that as the report has now been produced this item has now been withdrawn.

135. **LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF DRIVER LICENSE STATUS - PMI (E3 AND E7)**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from PMI;
- (c) heard from the Licensing Officer that the address on file for PMI was not up to date.

Agreed to adjourn the hearing until the next available committee date on the basis that PMI's right to a fair hearing was impaired by his problems in obtaining legal or other representation given the fact that he had only received notification of his attendance two days before the hearing.

136. **LICENSED PRIVATE HIRE DRIVER REVIEW OF DRIVER LICENSE STATUS - DG (E3 AND E7)**

The Committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from the Licensing Officer that DG had not attended the committee hearing and no notification regarding his absence

had been received.

Agreed that a letter be sent to DG by recorded delivery inviting him to attend the next available hearing and warning him that if he elected not to attend at that hearing all possible sanctions against his licence will be considered in his absence.

137. **LICENSED PRIVATE HIRE VEHICLE REVIEW OF VEHICLE LICENCE - A L WHEELER**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) considered additional documentary evidence provided by Mr Wheeler;
- (c) heard from Mr Wheeler;
- (d) heard from a Senior Licensing Officer;
- (e) taken into account that –
 - (i) Mr Wheeler sent the vehicle to a registered testing station for approval on several occasions and the vehicle was incorrectly assessed as compliant with vehicle specifications;
 - (ii) on the basis of those erroneous assessments, Mr Wheeler's vehicle was incorrectly issued with a Private Hire vehicle licence in March 2009;
 - (iii) Mr Wheeler had been using this vehicle as a private hire vehicle for two years without incident;
 - (iv) Mr Wheeler stated that the vehicle was licensed to transport children;
 - (v) Mr Wheeler claimed to have incurred considerable cost in purchasing the vehicle with the intention of using it as a private hire vehicle.

However, Members were concerned that:-

- (vi) the vehicle that Mr Wheeler was using as a private hire vehicle did not comply with the Private Hire vehicle specifications attached to its licence;
- (vii) most notably, it did not have four doors which led to concern for passenger comfort, safe access and egress and passenger safety, both in an emergency situation and for

daily usage;

- (viii) the vehicle by Mr Wheeler's own admission had only three doors;
- (ix) the vehicle was also classified as an N1 vehicle, indicating that it was a goods vehicles and not an M1 vehicle, designed and constructed for the carriage of passengers.

Agreed that the decision of the Committee today is therefore that the Hackney Carriage and Private Hire Licensing policy sets out guidelines for the issuing of vehicle licences in order to protect public safety.

To depart from those policy guidelines and allow a goods vehicle with an insufficient number of doors to protect passengers to continue to transport passengers would be to depart from the council's own licensing objectives, the most important of which is the safety and health of drivers and the public.

Members have decided to follow their own policy and revoke Mr Wheeler's private hire vehicle licence in accordance with their powers under s18 (1) of the Plymouth City Council Act 1975.

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CITY OF PLYMOUTH

Subject: Licensed Private Hire Driver Review of Driver Licence Status

Committee Licensing Committee (Hackney Carriage)

Date: 31 March 2011

Cabinet Member: Councillor Brookshaw

CMT Member: Director for Community Services

Author: Mark Small - Taxi Licensing Officer

Contact: Tel: 01752 307984
e-mail: mark.small@plymouth.gov.uk

Ref: ERS/LIC/MS/ps

Key decision: No

Part: I

Executive Summary:

Mr Petre Sich is a Private Hire driver having been licensed by this Council since 23 February 2007, that licence has been subject to periodic renewal with the present licence due to expire on the 22 February 2012.

On the 23 February 2011 Mr Sich renewed his Private Hire driver licence, and declared that he had received motoring convictions, but did not declare the offences or penalties imposed. Subsequent enquiries with the DVLA revealed the convictions referred to in the body of the report.

Mr Sich has also failed to comply with his conditions of licence as he has not reported the convictions as required.

Mr Sich has been invited to attend this Licensing Committee in order that these matters may be considered.

Corporate Plan 2011 – 2014:

This report links to the delivery of the corporate priorities defined in the Corporate Improvement Plan. In particular:

Improving access across the City.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

Not applicable.

Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

Members should be aware that Section 17 of the Crime Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations and Reasons for recommended action:

That Members of the Licensing Committee consider this report.

Alternative options considered and reasons for recommended action

None.

Background papers:

None.

Sign off:

Head of Fin		Head of Leg	SD/14.3.11/11204	Head of HR		Head of AM		Head of IT		Head of Strat. Procur.	
Originating CMF Member											

Report

1. Mr Petre Sich is a licensed Private Hire driver having been first licensed by the Council on the 23 February 2007, that licence being subject to periodic renewal, the last renewal taking place on the 23 February 2011. As Mr Sich was unable to provide a GB Driving Licence counterpart for his renewal of licence to take place, he had to submit and pay for a DVLA driver licence status check the day before the renewal of licence could take place.
2. On the 23 February 2011 a reply was received from the DVLA which outlined the following motoring convictions:

On 10 November 2010 at Plymouth Magistrates Court

Convicted of Using a Mobile Phone While Driving a Motor Vehicle on 30 August 2010.
Fined £50 and DVLA licence endorsed with three penalty points.

Convicted of Using a Vehicle with a Defective Tyre on 30 August 2011.
Fined £100

3. A standard Condition of Licence exists which requires all Private Hire drivers to notify the Council of any convictions received during their licence period. The conditions of licence are made by virtue of Section 9(2) of the Plymouth City Council Act 1975.

Condition 1(c) of the licence requires that:-

*The licensed driver shall notify the Licensing Unit **in writing** of any conviction in a Court of Law in respect of any Motoring and/or Criminal offences following the grant of a licence, within 7 days.*

Mr Sich has breached this condition of licence, as there is no trace of any written communication in respect of the convictions provided above.

4. The actions open to Members are those contained in Section 19(1) (b) of the Plymouth City Council Act 1975 which empowers the Council to suspend, revoke or refuse to renew the licence of a driver of a Hackney Carriage or Private Hire vehicle for any other reasonable cause.
5. In deciding whether Mr Sich is a "fit and proper" person, Members must have regard to the Council's Hackney Carriage and Private Hire Licensing Policy. The relevant parts of which are detailed below:

General Policy

The Council's Hackney Carriage and Private Hire Licensing Policy states that the Council will carry out its Hackney Carriage and Private Hire licensing function with a view to promoting stated objectives. Members must therefore ensure that they consider those objectives when forming a decision.

The licensing objectives are as follows:

1. **Safety and health of drivers and the public** - e.g.
 - Consideration of history of convictions and actions,
 - Driver training, qualification and performance,
 - Health and fitness to fulfill the role, and
 - Crime prevention measures.

2. **Vehicle safety, comfort and access**
3. **To prevent crime and disorder and to protect consumers** - e.g.
 - commitment to work with the police and licensing authorities
4. **To encourage environmental sustainability.**

Chapter 2 – Conditions of Licence

Paragraph 12.3 states that when considering whether a driver is “fit and proper” the authority will consider amongst other things

- Relevant skills
- Knowledge
- Experience
- Qualifications
- Criminal record (as to relevance of offences see below)
- Previous history as a licence holder

Paragraph 18.2 requires that in considering whether a person is “fit and proper” each case is considered on its own merits.

Paragraph 18.5 requires the Committee to have regard to the following when considering previous convictions:

- Whether the conviction is spent or unspent.
- The nature of the offence
- The age of the offence
- The apparent seriousness, as gauged by the penalty
- The relevance of the conviction in relation to the promotion of the Licensing Objectives

Chapter 4 – Enforcement Policy

Paragraph 8.1 - Allows the Council to revoke any licence where it is satisfied that the licence holder is for example, no longer a ‘fit and proper’ person, or a breach of a condition of licence has been established.

Paragraph 8.2 - Requires that when considering revocation, the Committee will take into account all relevant facts and circumstances including licensing objectives, the nature of the breach and any other information thought pertinent to the matter being considered.

Paragraph 10.2 - Gives the Committee the discretion to direct a driver appearing them to complete further training or re-training should the driver’s suitability to retain a licence be called into question.

Guidance on the Relevance of Convictions

Paragraph 1 – states that the disclosure of a criminal record will not automatically prevent any applicant from obtaining a licence, unless the Council considers the conviction renders the applicant unsuitable. In making its decision the Council will consider the relevance of any offence, the seriousness of the offence, the length of time since the offence occurred and any pattern of offending behaviour.

Paragraph 2 - states that motoring offences are relevant offences when considering the suitability of a person to hold or retain a licence.

Paragraph 8 – states that any driver who receives a relevant conviction within their licence period will be referred to the Licensing Committee (Hackney Carriage) in order

that the status of their licence may be reviewed. The above guidance will be followed in such cases.

6. Members are asked to consider whether Mr Sich is a “fit and proper” person in light of the matters contained within this report.
7. Mr Sich has been invited to attend this Licensing Committee in order that this review may be considered.

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Subject: Licensed Private Hire Driver Review of Driver Licence Status

Committee Licensing Committee (Hackney Carriage)

Date: 31 March 2011

Cabinet Member: Councillor Brookshaw

CMT Member: Director for Community Services

Author: George Curness – Licensing Officer

Contact: Tel: 01752 307964
e-mail: george.curness@plymouth.gov.uk

Ref: ERS/LIC/GC/soq

Key Decision No

Part: I

Executive Summary:

Mr. Simon Owen Quenault is a licensed Private Hire driver, having been first granted a Private Hire driver's licence by the Council on the 17 June 2003. Mr. Quenault's present licence is due to expire on 17 June 2011.

On 11 February 2011, Mr Quenault returned his PHDL and I/D badge with a short note stating that he had been disqualified from driving for 6 months.

Mr. Quenault has been invited to attend this Licensing Committee in order that this matter may be considered.

Corporate Plan 2011 – 2014:

This report links to the delivery of the corporate priorities defined in the Corporate Improvement Plan. In particular:

Improving access across the City

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

Not applicable.

Other Implications: eg. Section 17 of the Crime Disorder Act 1998 - Community Safety, Health and Safety and Risk Management etc.

Members should be aware that Section 17 of the Crime Disorder Act 1998 put a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations and Reasons for recommended action:

That Members of the Licensing Committee consider this report.

Alternative options considered and reasons for recommended action

None.

Background papers:

None.

Sign off:

Head of Fin		Head of Leg	SD/14.3.11/11202	Head of HR		Head of AM		Head of IT		Head of Strat. Procur.	
Originating CMF Member											

Report

1. Mr. Simon Owen Quenault is a licensed Private Hire driver, having been first granted a Private Hire driver's licence by the Council on the 17 June 2003. Mr. Quenault's present licence is due to expire on 17 June 2011.

On 11 February 2011, Mr Quenault returned his PHDL and I/D badge with a short note stating that he had been disqualified from driving for 6 months. A memo of conviction was requested from Plymouth Magistrates' Court on 7 March 2011, a reply was received on 8 March 2011 outlining a Court appearance of Mr Quenault. Details of the Court hearing are given below,

On 4 January 2011, at Plymouth Magistrates' Court.

Convicted of using a motor vehicle with tyre with any of the ply/cord exposed.

On 5 October 2010 at Plymouth, used on a road, namely Kensington Road, a motor vehicle, namely a Motor car registration number N513XFJ, when the front nearside wheel was fitted with a pneumatic tyre, which had the cord exposed.

Contrary to Regulation 27(1)(e) of the Road Vehicles (Construction and Use) Regulations 1986, section 41A of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

Mr Quenault was Fined £67 and ordered to pay Victim Surcharge of £15. His DVLA licence was endorsed with 3 penalty points, and disqualified from holding or obtaining a driving licence for 6 months. Disqualification was obligatory due to repeat offending.

An inspection of Mr Quenault's DVLA licence reveals no current points.

As disqualification due to repeat offending is an accumulation of 12 points, Mr Quenault has failed to inform the Licensing Office of any of the previous penalty points.

2. A standard Condition of Licence exists which requires all Private Hire drivers to notify the Council of any convictions received during their licence period. The conditions of licence are made by virtue of Section 9(2) of the Plymouth City Council Act 1975.

Condition 1 of the licence requires that the licensed driver shall notify the licensing unit in writing of any alteration to his declared circumstances within 7 days of any alteration which might affect the accuracy of the information revealed below, that is any:

(c) conviction in a court of law in respect of any motoring and/or criminal offences following the grant of a licence

(e) any motoring fixed penalty endorsements received.

Mr Quenault has breached this condition of licence, as we had not received any correspondence from him notifying the Licensing Office of any previous convictions or fixed penalties.

3. The following background information regarding Mr Quenault is included as Officers consider it to be relevant in respect to this case.

On 21 October 2010, during a routine patrol, Officers conducted a roadside vehicle inspection of Mr Quenault's licensed Private Hire vehicle, plate number 417, registration number N513XFJ. An immediate prohibition notice was served as the Nearside Rear tyre tread was below the legal limit, also the vehicle was considered to be in a dirty, and in an unsatisfactory condition for use as a passenger carrying vehicle. Mr Quenault was the licence holder of this vehicle at the time of the inspection.

On 22 October 2010, Mr Quenault produced the vehicle to be signed off and the licence plate returned. Further faults were found, including the Front Offside dip lamp not working which resulted in the vehicle licence remaining suspended. The suspension was lifted on 25 October 2010, when the vehicle was presented in serviceable condition.

On 14 February 2010 Mr Quenault was observed in a licensed vehicle registration number N513XFJ to be smoking a cigarette. Officers issued a fixed penalty notice which was not paid.

On 8 July 2010, Mr Quenault was prosecuted in Plymouth Magistrates' Court for the offence of smoking in a licensed vehicle, he pleaded guilty by post and was fined £100 and ordered to pay £100 costs and £15 Victim Surcharge.

The actions open to Members are those contained in Section 19(1) (b) of the Plymouth City Council Act 1975 which empowers the Council to suspend, revoke or refuse to renew the licence of a driver of a Hackney Carriage or Private Hire vehicle for any other reasonable cause.

4. In deciding whether Mr. Quenault is a "fit and proper" person, Members must have regard to the Council's Hackney Carriage and Private Hire Licensing Policy. The relevant parts of which are detailed below:

General Policy

The Council's Hackney Carriage and Private Hire Licensing Policy states that the Council will carry out its Hackney Carriage and Private Hire licensing function with a view to promoting stated objectives. Members must therefore ensure that they consider those objectives when forming a decision.

The licensing objectives are as follows:

1. **Safety and health of drivers and the public** - e.g.
 - Consideration of history of convictions and actions,
 - Driver training, qualification and performance,
 - Health and fitness to fulfill the role and
 - Crime prevention measures.
2. **Vehicle safety, comfort and access**
3. **To prevent crime and disorder and to protect consumers** - e.g.
 - Commitment to work with the police and licensing authorities
4. **To encourage environmental sustainability.**

Chapter 2. – Conditions of Licence

Paragraph 12.3 - states that when considering whether someone is "fit and proper" the authority will consider amongst other things

- Relevant skills
- Knowledge
- Experience
- Qualifications
- Criminal record (as to relevance of offences see below)
- Previous history as a licence holder

Paragraph 18.2 - requires that in considering whether a person is "fit and proper", each case is considered on its own merits.

Paragraph 18.5 requires the Committee to have regard to the following when considering previous convictions:

- Whether they are spent or unspent.
- The nature of the offence
- The age of the offence
- The apparent seriousness as gauged by the penalty
- The relevance of the convictions in relation to the promotion of the Licensing Objectives

Chapter 4 – Enforcement Policy

Paragraph 8.1 - allows the Council to revoke any licence where it is satisfied that the licence holder is, for example, no longer a “fit and proper” person or a breach of a condition of licence has been established.

Paragraph 8.2 - requires that when considering revocation, the Committee will take into account all relevant facts and circumstances including licensing objectives, the nature of the breach and any other information thought pertinent to the matter being considered.

Guidance on the Relevance of Convictions

Paragraph 1 – states that a criminal record does not automatically prevent any applicant from obtaining a licence unless the Council considers the conviction renders the applicant unsuitable. In making its decision the Council will consider the relevance of any offence, the seriousness of the offence, the length of time since the offence occurred and any pattern of offending behaviour.

Paragraph 2 - states that motoring convictions are relevant offences for considering the suitability of a person to hold or retain a licence, and includes disqualification from driving a motor vehicle at any time in the five years prior to applying for a licence, the time to run from the expiry of the disqualification.

Paragraph 8 – states that any driver who receives a relevant conviction within their licence period will be referred to the Licensing Committee (Hackney Carriage) in order that the status of their licence may be reviewed. The above guidance will be followed in such cases.

5. On 15 February 2011, a letter was sent to Mr Quenault, asking him whether or not he intended to remain in the Private Hire trade. A reply was received on 7 March 2011 indicating that he did, indeed, intend to return to the trade.
6. The disqualification from driving and supporting background information, highlights serious concerns that Mr Quenault has disregarded the rules of the road and the maintenance of his vehicle, which illustrates a lack of regard to passenger and public safety.
7. Mr. Quenault has been invited to attend this Licensing Committee in order that this matter may be considered.

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By virtue of paragraph(s) 3, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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