



The Licensing Manager, Mr Chris Ward outlined a confidential report of the Interim Deputy Chief Executive and explained the application was referred to members for a decision as the applicant had failed to declare an array of historical convictions on his application.

The applicant was present at the hearing.

Members were requested to consider the report and decide whether to grant or refuse the application, taking into consideration all evidence put before them.

When summing up the Licensing Manager explained that members were required to determine whether the applicant was a 'fit and proper person' to be granted a licence. The Licensing Manager also explained that the applicant's convictions would fall outside of the timescales set out within the SRBC Taxi Licensing Policy as they were at least seventeen years ago. This would not require an application to be brought before members for determination, however, the failure to declare the offences was the reason the application had been referred to the Sub-Committee.

The applicant answered questions from Members who wished to know why the convictions had not been declared.

In reaching its decision the sub-committee considered the following:

1. Both Written and Oral Evidence presented in connection with the hearing
2. The Local Government (Miscellaneous Provisions) Act 1976/Town Police Clauses Act 1847 (where applicable)
3. Hackney Carriage and Private Hire Licensing Policy – Section 1.7, 4.8
4. The Statutory Taxi and Private Hire Vehicle Standards guidance
5. The Statutory fit and proper person test.

**Members resolved: -**

To grant the Private Hire Driver's Licence.

### **35 Addendum**

On 3 November 2023 it came to the attention of the Licensing Officer assigned to the application that a DVLA driving summary was not attached as supporting documentation to the application form.

Members were advised by telephone and email that the conviction should have been brought before them at the hearing on Tuesday, 1 November 2023 however due to Officer error it had not been provided.

Members were assured that licences do not get issued without full checks in place and additional robust checks undertaken by Licensing Officers had identified this issue, with the resulting information put before members again for consideration.

Members were advised they may want to give weight to the applicant's previous driving record for the twelve month period following the motoring offence.

The applicant had not been served his decision notice from the hearing held on 1 November 2023 and he had not yet been issued a licence.

Members were asked, in light of the new information provided, if their decision made on Tuesday, 1 November 2023 would change.

All Members of the original panel confirmed orally and in writing to the Licensing Manager that their decision to grant a Private Hire Driver's licence did not change given the information that had been brought to their attention and the applicant be issued with a Private Hire Drivers' licence.

Chair

Date