

REGULATORY PANEL

WEDNESDAY 16 DECEMBER 2020 AT 4.00pm

PRESENT: Councillor Ms Ellis-Williams (Chair), Birks (as substitute for Councillor Miss Whalen), Ellis (as substitute for Councillor Bainbridge), Mallinson J (as substitute for Councillor Collier), Meller, Morton, Nedved, Shepherd and Tinnion.

OFFICERS: Assistant Solicitor
Licensing Manager
Licensing Officer
Regulatory Compliance Officer (Apprentice)

RP.29/20 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bainbridge, Collier, Patrick, Miss Sherriff, Dr Tickner and Miss Whalen.

RP.30/20 DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

RP.31/20 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and the items of business in Part B be dealt with when the public and press were excluded.

RP.32/20 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 18 November 2020 be agreed as a correct record.

RP.33/20 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

RP.34/20 APPLICATION FOR A NEW PRIVATE HIRE DRIVER
(Public and Press excluded by virtue of Paragraph 1)

The Licensing Officer submitted a report (GD.62/20) regarding an application for a Private Hire Driver licence.

The Applicant was in attendance.

The Assistant Solicitor outlined the procedure the Panel would follow. The Applicant confirmed that he had received, read and understood the Licensing Officer's report. The Assistant Solicitor advised the Applicant that he had a right to be represented but he indicated that he did not wish to be so represented.

The Licensing Officer set out the background to the application and informed the Panel of two offences which had been disclosed in the application, all other requirements had been met by the applicant.

The Licensing Officer responded to the Panel's questions clarifying the financial outcome of the court case.

The Applicant addressed the Panel. He outlined his employment history and the impact Covid-19 had on his income. He clarified the details of the offences and the sentence which he had complied with. He detailed the company that he would work for and the work that he would carry out should he be successful in his application. He asked the Panel to give him an opportunity to work and have an income.

The Applicant responded to questions from the Panel.

The Licensing Officer drew the Panel's attention to the legislation which they must take account of and set out the options for the Panel.

The Applicant added that Covid-19 had impacted the company that he planned to work for and they needed additional drivers, a successful application would support the business.

RESOLVED – The Panel carefully considered and read the evidence in report GD.62/20 and listened carefully to the responses and heard from the Applicant.

The Panel noted that the Applicant had one speeding conviction in addition to the two offences and advised the Applicant that they took speeding convictions very seriously.

The Panel noted that the Applicant had made an application to become a licensed Private Hire Driver with Carlisle City Council. The Applicant's Disclosure and Barring Certificate advised the Council of a conviction from 2017 for 2 offences under the Health and Safety at Work Act 1974. Due to the nature of the offences and the priority of public safety the application had been referred to the Regulatory Panel to consider.

The Panel listened carefully to the Applicant's account of the convictions. The Panel must be satisfied that the Applicant is a fit and proper person to hold a Private Hire Driver's Licence.

The Panel agreed to grant the Private Hire Driver's Licence and are satisfied the Applicant is a fit and proper person to hold this licence.

[The meeting ended at 4.58pm]