

## **REGULATORY PANEL**

**WEDNESDAY 24 FEBRUARY 2021 AT 4.00pm**

**PRESENT:** Councillor Ms Ellis-Williams (Chair), Bainbridge, Birks (as substitute for Councillor Patrick), Ellis, Meller, Morton, Nedved, Shepherd, Miss Sherriff, Tinnion and Miss Whalen

**OFFICERS:** Assistant Solicitor  
Licensing Officer  
Licensing Manager

### **RP.08/21 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Patrick and Councillor Dr Tickner.

### **RP.09/21 DECLARATIONS OF INTEREST**

There were no declarations of interest submitted.

### **RP.10/21 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.11/21 MINUTES OF PREVIOUS MEETING**

**RESOLVED** – That the minutes of the meeting held on 20 January 2021 be agreed as the correct record. The Chair will sign the minutes at the first practicable opportunity.

### **RP.12/21 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.13/21 APPLICATION FOR A NEW PRIVATE HIRE DRIVER LICENCE**

(Public and Press excluded by virtue of Paragraph 1)

The Licensing Officer submitted a report (GD.21/21) regarding an application for a new Private Hire Driver Licence.

The Applicant was in attendance.

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

The Licensing Officer set out the background to the application and the details of the Disclosure and Barring Certificate.

The Licensing Officer responded to questions regarding the outstanding processed that the Applicant still had to pass to be eligible for the licence.

The Applicant addressed the Panel. She explained the circumstances which had led to the offence and what her current situation was. She outlined details of her family life and current employment.

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.

RESOLVED – The Panel had carefully considered and read the evidence in report GD.21/21 and listened carefully to the responses and heard from the Applicant.

The Panel noted that the Applicant had applied for a Private Hire licence.

The Applicant's disclosure and barring service certificate advised of a conviction from 2016.

The Applicant had been made aware that Carlisle City Council had adopted the Institute of Licence's Guidance which stated that where an applicant had such a conviction a licence will not be granted until 7 years has passed from the date of the offence.

The Panel had decided today to depart from the guidance and grant the Applicant a Private Hire Driver's Licence with the provision that the Applicant passes all required checks in accordance with City Council policy.

The reason for the decision was:

1. The Panel were satisfied that having heard the Applicant's account of the events, and the time that had passed since the conviction that the Applicant was a fit and proper person to hold a Licence.

[The meeting ended at 4.49pm]