

**LICENSING PANEL
13 APRIL 2011
2.00 PM**



Present:

Councillors Beadsley, Brossard and Brunel-Walker

Also Present:

Mr F, Licensed Driver
Mrs Walker, Licensing Officer
Anthony Igbiniyesu, Legal Services
Priya Patel, Democratic Services

Apologies for Absence were received from:

Councillor Virgo

1. Declarations of Interest

There were no declarations of interest.

2. The Procedure for Hearings at Licensing Panels

The Chairman confirmed that all parties had noted and understood the procedures to be followed at the hearing.

3. Exclusion of Public and Press (S100A)

It was **RESOLVED** that pursuant to section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of the following item which involved the likely disclosure of exempt information under the following category of Schedule 12A of that Act:

(1) Information relating to any individual (Item 4)

4. Application for Dual Driver Licence - Mr F

It was reported that a referral was made to the Licensing Panel, following a total of 18 penalty points being issued to Mr F within the last 12 months. Bracknell Forest Council policy states that where a licensed driver is issued with 12 or more points within a 12 month period, a referral will be made to the Licensing Panel to determine if the driver's licence should be revoked, suspended, or allowed to continue with conditions.

At the hearing, the Panel gave careful consideration to the papers placed before them and heard and considered oral representations from Mr F and Mrs Walker, Licensing Officer.

Having considered all the evidence, the Panel decided that Mr F's Dual Driver's Licence should be renewed for a period of 12 months. In addition, the Panel decided that Mr F should be issued with a formal written warning. The decision letter would set out this written warning and the written warning is set out below.

The Panel noted that Mr F had committed a number of offences and took this very seriously as the offences were relevant to the issue of public safety and as to whether or not he was a fit and proper person to be a licensed driver. In addition, the Panel were not satisfied with the explanation Mr F gave regarding; reporting his offences, presenting and completing the documents required by the Licensing team to process his application.

The Panel were minded to refuse the renewal of Mr F's licence. However, after careful consideration, they did not wish to deprive him of his livelihood, particularly in the current difficult economic climate. The Panel also took into account Mr F's long standing service as a licensed driver. However, Mr F was strongly advised to adhere to the conditions of his licence, particularly within the next 12 months. Any subsequent misdemeanour resulting in Mr F receiving any penalty points could have the likely effect of his licence being revoked.

The Panel wished to impress upon Mr F that should he be issued with **any** further penalty points, irrespective of the severity of the offence, *within the next 12 months from the date of this letter*, the matter would be referred to a Licensing Panel, who would then decide whether his licence should be suspended or revoked.

CHAIRMAN