

**LICENSING PANEL  
4 APRIL 2012  
2.10 - 2.48 PM**



**Present:**

Councillors Allen, Brossard (Chairman) and Davison

**In attendance:**

Simon Bull, Legal Adviser to the Panel

Niamh Kelly, Licensing Officer

Amanda Roden, Democratic Services Officer

Mr R, Appellant

**9. Declarations of Interest**

There were no declarations of interest.

**10. The Procedure for Hearings at Licensing Panels**

The Chairman confirmed that all parties understood the procedure to be followed for the hearing.

**11. Exclusion of Public and Press (S100A)**

**RESOLVED** that pursuant to section 100A of the Local Government Act 1972, as amended, members of the public and press be excluded from the meeting for consideration of item 4 which involved the likely disclosure of exempt information under category 1 of Schedule 12A of that Act:

- (1) Information relating to any individual

**12. Report on Licensed Dual Driver**

At the hearing, the Panel gave careful consideration to the papers placed before them and heard and considered oral representations from Mr R and Ms Kelly, Licensing Officer.

The Panel decided that Mr R would receive a strongly worded written warning, and in addition if Mr R were to come back before a licensing panel within 12 months of 4 April 2012 the panel would not be as lenient.

The Panel were clear that Mr R had failed to notify the Council of two separate speeding offences on 29 April 2010 and 3 June 2010. The Panel were concerned that Mr R's speeding offences had not been reported and advised Mr R to note the contraventions on page 49 of the 'Guidance Notes and Conditions for Hackney Carriage and Private Hire Vehicle Owners, Operators and Drivers' and to be aware of the sanctions which may be placed if there was a failure to comply with this notice.

The Panel took into consideration Mr R's record as a dual driver with Bracknell Forest Council since April 1999 and as an operator of a taxi firm in the Borough since March 2006.

The Panel gave careful consideration to Mr R's personal circumstances and current financial situation and decided that a strongly worded written warning was an appropriate sanction on this particular occasion. If however, Mr R was to appear before a licensing panel within 12 months of the date of this panel hearing, this could lead to Mr R being dealt with in a less lenient manner and none of the sanctions available would be discounted. It was important that Mr R complied with all requirements of his licence at all times in the future.

**CHAIRMAN**