

**LICENSING PANEL
19 SEPTEMBER 2012
10.00 - 10.48 AM**



Present:

Councillors Thompson (Chairman), Baily and Davison

In attendance:

Anthony Igbiniyesu, Legal Adviser to the Panel

Sue Walker, Licensing Officer

Amanda Roden, Democratic Services Officer

Mr X, Appellant

1. Declarations of Interest

There were no declarations of interest.

2. The Procedure for Hearings at Licensing Panels

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

3. 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

4. Report on Licensed Private Hire Driver

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

Having considered all the evidence, the Panel decided that Mr X would receive a written warning and would be required to undertake the DSA test within two months of 19 September 2012. Mr X would need to provide proof that the test had been taken, failing which the referral would be brought back to a panel for further consideration. In addition, if Mr X were to gain any further penalty points within 12 months of 19 September 2012 he would come back before a licensing panel where his circumstances would be reviewed.

The Panel were clear that Mr X was observed by an officer dropping passengers off without displaying the private hire plate on the rear of his vehicle as required by the terms of his licence. Also, having failed to notify the Council of a speeding offence on

25 November 2011, Mr X then failed to disclose this offence in his licence renewal application.

The Panel noted Mr X's explanation regarding removal of his private hire plate but Mr X was reminded by Mrs Walker at the hearing that his private hire plate was a fixed plate not be removed and he did not have a dispensation for not displaying the plate. It was important that Mr X complied with all requirements of his licence at all times in the future.

CHAIRMAN