

NORTH LINCOLNSHIRE COUNCIL

LICENSING (MISCELLANEOUS) SUB-COMMITTEE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

**APPLICATION TO RENEW A PRIVATE HIRE
VEHICLE DRIVERS LICENCE**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform the Sub-Committee of an application to renew a Private Hire Vehicle Drivers Licence.
- 1.2 To request that the Sub-Committee determines the appropriate action to be taken in relation to the Private Hire Vehicle Drivers licence in regard to Mr Shane Conneely.

2. BACKGROUND INFORMATION

- 2.1 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states that the Council may suspend, revoke or refuse to renew a licence on the grounds that since the grant of the licence the person has:
 - (a) been convicted of an offence involving dishonesty, indecency or violence; or
 - (b) been convicted of an offence under the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847; or
 - (c) any other reasonable cause.
- 2.2 The Licensing (Miscellaneous) Sub-Committee is authorised to determine applications for the grant, transfer, renewal or revocation of Hackney Carriage/Private Hire Licences relating to drivers, operators and vehicles. The Sub-Committee is also authorised to attach points to hackney carriage and private hire licenses where they deem it is appropriate.
- 2.3 Drivers of Hackney Carriages and Private Hire Vehicles must be in possession of a valid Hackney Carriage or Private Hire Vehicle Drivers Licence, depending which vehicle they wish to drive. On initial application, prior to the grant of a licence, and upon application to renew a licence a check is made with the Disclosure Barring Service to see if the person has any cautions or convictions.

- 2.4 Information may also be received from the police in regard to current Hackney Carriage/Private Hire Vehicle Drivers who have been found guilty of an offence by the courts.
- 2.5 Mr Shane Conneely has held a Private Hire Vehicle (PHV) Drivers Licence since 17 July 2014. It expired on 16 July 2017. The time in collating the evidence has delayed presenting the application to members.
- 2.6 Information produced on DVLA Driving Licence and Disclosure showed a trace that means it is necessary to determine Mr Conneely's Private Hire Vehicle Drivers Licence application on the grounds of he has been convicted of an offence involving violence and driving licensed vehicles without insurance.
- 2.7 Applicants are required to submit their original DVLA driving licence with all applications.
- 2.8 The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and Amendments Order 2002, exempts applicants for HC/PHV Driving Licences from the Rehabilitation of Offenders Act 1974, and therefore all relevant convictions can be considered.
- 2.9 Any information disclosed on a DBS check will be presented at the meeting as the said information cannot be reproduced. Reports will be updated at the meeting if necessary to take account of any additional relevant information received after publication
- 2.10 Members should not allow themselves to pre-determine or to be prejudiced in favour of or opposed to the application until they have had an opportunity to consider all the pertinent facts.
- 2.11 Members should be aware that as they are acting in a quasi-judicial role as regards this licensing matter, they should remain in the room so that they hear all the evidence on which the decision will be based.

3. OPTIONS FOR CONSIDERATION

- 3.1 The options available to the Licensing (Miscellaneous) Sub-Committee under the Local Government (Miscellaneous Provisions) Act 1976 when considering such information are as follows:

Option 1 – To take no action.

Option 2 – To warn the person regarding future conduct.

Option 3 – To issue points against the licence in accordance with Schedule 1, Table 3 of the Council's Hackney Carriage and Private Hire Licensing Policy.

Option 4 – To add additional conditions to the licence or add conditions of obtaining a licence.

Option 5 – To refuse to renew.

4. ANALYSIS OF OPTIONS

- 4.1 A criminal record does not debar an applicant from gaining or renewing a licence unless the authority considers the conviction(s) render the person unsuitable. In the first instance criminal records are checked against guidelines in respect of the Rehabilitation of Offenders Act 1974 and guidance produced in line with the Department of Transport Circular 2/92 and Home Office Circular 13/92. A copy of the Guidance for Members' will be available at the hearing. The analysis of the five options at paragraph 3.1 are as follows:

Option 1 – Members may choose to take no action when they feel that there is no case to answer. This option is unlikely as prior to any review the matter has been considered by an Assessment Board of three officers- who will only refer matters to the committee where there is sufficient evidence for the matter to be considered.

Option 2 – Where the case has been upheld, but the committee does not feel the need to take more punitive action, a warning can be issued as to the future conduct of the driver. Should there be a re-occurrence then the driver could be referred back to the sub-committee.

Option 3 – Endorsing a Hackney Carriage and/or Private Hire Licence with penalty points provides a cost effective means of addressing the issue. It provides a balance between doing nothing and suspending/revoking the licence.

Option 4 – Conditions can be added to a Private Hire Vehicle Drivers Licence so long as they are reasonable. Conditions cannot be added to a Hackney Carriage Vehicle Drivers Licence. Additional requirements can be added to the conditions of obtaining the licence, for example a DBS can be requested every year and a requirement can be added that licences are renewed annually.

Option 5 – The licence could be refused to be renewed taking into account the Licensing policy.

- 4.2 Should the Licensing (Miscellaneous) Sub-Committee refuse the licence or impose additional terms, conditions or restrictions then the applicant may appeal to a Magistrates Court within 21 days from the date on which he was notified of the decision. Should the Magistrates uphold the decision of the council, the applicant has further recourse to the Crown Court.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There are no resource implications

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Local Government (Miscellaneous Provisions) Act 1976

7. OUTCOMES OF CONSULTATION

7.1 Not applicable.

8. RECOMMENDATIONS

8.1 That the application be determined in accordance with the options outlined at paragraph 3 above, taking into account the facts presented at the hearing.

DIRECTOR: OPERATIONS

Civic Centre
SCUNTHORPE
North Lincolnshire
DN16 1AB

Author: Nicola Ellis
Date: 2 February 2018

Background Papers used in the preparation of this report: -

Application file, except information protected by the Data protection Act.

2. **General Information (BLOCK CAPITALS)**

Have you held your **FULL** DVLA or EU Driving Licence for at least 1 year? Yes No

Licence Number: CONNE802158SM9WL Expiry Date: APRIL 2025

Issuing Authority: DVLA

DVLA Check Code: Pm BY wv 75 (Write the code as it appears, including lower case and capital letters)

Do you have the Right to Work in the UK? Yes No

Have you ever lived outside of the UK? Yes No

If yes, state which countries and the dates:

(A Certificate of Good Conduct from these countries may be required)

Current or most recent employer: JUJ TAXIS

Length of employment: 3 (months/years) Job Title: DRIVER/CONTROLLER

Are you the proprietor of a vehicle? Yes No

If the licence is granted state the name of your employer: JUJ TAXIS

If you currently or have ever held a Hackney Carriage or Private Hire Vehicle Driver's Licence please give the details

Name of Licensing Authority: NORTH LINCOLNSHIRE COUNCIL

Licence/Badge Number: PHD22205 Expiry Date: 15/07/2017

3. **Proof of Identity (NEW APPLICANTS ONLY)**

Provide one passport style photo, which needs to be endorsed by a current or previous employer, or from a person of Professional Standing, such as a Doctor; Justice of the Peace; Teacher; Social Worker; Solicitor or Minister of Religion. Police Officers should not be used. The person endorsing the photo must also complete the following:

Details of Person endorsing photograph

Name:

Address:

Post Code: Occupation:

Number of years known: Relationship:

Please remember to endorse the photograph with the following wording "I certify that this is a true likeness of 'name of applicant' ". Please sign and date the photograph.

Signed:

Date:

4. Declaration of Current Convictions

You are to declare any previous convictions or cautions you may have under the Rehabilitation of Offenders Act 1974. As an applicant for a hackney carriage or private hire vehicle driver's licence you are exempt from the provisions of the said Act of 1974 in accordance with the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Amendment Order 2002.

Failure to declare any conviction (whether normally spent or un-spent) may harm your application. All information will be treated in confidence and will only be taken into account in relation to your application.

Disclosure of a criminal record or other information will not automatically debar you from obtaining a licence, unless the Authority considers that the conviction(s) render you unsuitable. In making this decision, the Authority will consider; the nature of the offence; the time lapsed and your age at the time of conviction; and any other relevant factors.

Do you have any pending convictions? Yes No

Alleged Offence

Date of court hearing

[Empty box for Alleged Offence]

[Empty box for Date of court hearing]

4. Details of previous convictions (All convictions must be declared – motoring and criminal)

Date of conviction

Offence

Sentence (including suspended sentences)

OCT 2016
SEPT 2016

TT99
COMMON ASSAULT

6 MONTH DISQUALIFICATION
12 MONTH COMMUNITY ORDER
50 Hours COMMUNITY SERVICE

(If no convictions, please enter "Nil")

I declare that I have checked the information given on this application and to the best of my knowledge and belief it is correct. I agree to the Council making any necessary enquiries in order to check the information with the Criminal Records Bureau, the Police and other Services of the Council.

I understand and consent to the information provided being used for the prevention and detection of crime, the apprehension or prosecution of offenders and to prevent or detect fraud. The Council may also share this information for the same purposes with other organisations that handle public funds. My consent shall endure notwithstanding the expiration, suspension or refusal of a licence, for a period of 6 years following any of these events.

I will immediately inform the Council's Licensing Division, in writing, of any changes that may affect my eligibility to act as driver of a hackney carriage or private hire vehicle.

Applicant Signature:



Date:

13/6/17.

FOR OFFICIAL USE ONLY

Date

Officer

Application Received:

DVLA Driving Licence Received:

Category B Issued:

Licence Expiry:

Has DVLA licence been held for 12 months?

Yes

No

Medical Certificate Received:

Disclosure Requested:

Authorised for Licensing

Licence Number:

TD

Date of Issue:

Notified by Telephone/Post:

Actions Outstanding/Taken

Officer

Date

5 KIRK CLOSE
SCUNTHORPE
DN15 5NW
2010-2012

07/11/2016 07:30	140 Stather Rd	-Burton Upon Stather, North Lincolnshire	{NAT}	Town	High St., {Town}	Done	0	164
07/11/2016 09:00	pull up to the bungalow	22	Saxby Rd, {Ridd}		Willoughby Rd, {Ridd}	Done	0	164
07/11/2016 09:45	Concert Room	11	Cambridge Rd., {Ever}	Multi Drop	Ashby High St., {Ever}	Done	0	164
07/11/2016 12:02		Asda Supermarket	Scotter Rd., {Dry}	Town	High St., {Town}	Done	0	164
07/11/2016 12:25		Redbourn Club	Cemetery Rd., {Ceme}		Bottesford La., {Roch}	Done	0	164
07/11/2016 12:31		32	Crowland Av., {Linc}		Canterbury Cl., {Dry}	Done	0	164
07/11/2016 13:40		243	Queensway, {Gln}	Railway Station	Station Rd., {Town}	Done	0	164
07/11/2016 14:05		33	Helston Wlk., {Plym}	Hospital	Church La., {Hosp}	Done	0	164
07/11/2016 14:44		Base	Frodingham Rd., {Cros}		Willoughby Rd, {Ridd}	Done	62	164
10/11/2016 16:55		St Hughs School	Bushfield Rd., {Ceme}		Brocklesby Rd, {Ridd}	Done	0	164
10/11/2016 17:10	quickendern	4	Barnetby Rd., {Ridd}		Glanville Av., {Wcl}	Done	0	164
10/11/2016 17:33	Polina	Argos	Lakeside Pk Wy, {Derw}		High Street {Town}	Done	0	164
10/11/2016 17:40	Martin	Cash Converters	Belgrave Sq., {Town}	Crosby House Flats	Chapel St., {Cros}	Cancelled	0	164
10/11/2016 17:54	John	Class 6 Wine Bar	Doncaster Rd., {Hosp}		Wilsons Cl., {Ceme}	Done	0	62
10/11/2016 18:20	Matty	Priory Pub	Ashby Rd., {Pri}		Brocklesby Rd, {Ridd}	Done	0	62
10/11/2016 18:29	Causbrook	Asda Supermarket	Scotter Rd., {Dry}	15	Diana St, {Cros}	Cancelled	0	62
10/11/2016 18:56	Josh	Base	Frodingham Rd., {Cros}		Skippingdale Rd, {Hend}	Done	0	62
10/11/2016 18:57	Toy	Hospital	Church La., {Hosp}		Derwent Rd, {Derw}	Done	0	62
10/11/2016 18:58	Xang	Base	Frodingham Rd., {Cros}	Hospital	Church La., {Hosp}	Done	0	62
10/11/2016 19:12	Lowley	1	Linnet Gth., {Derw}		Holly Cl., {Timb}	Done	0	62
10/11/2016 19:30	Persclough	13	Grasby Rd., {Ridd}	Hilltop Care Centre	Pheonix Pk.Way, {Town}	Done	0	62
10/11/2016 19:51	Dean	Warren Lodge	Luneburg Way, {Skipp}	56	Theodore Rd, {Hend}	Done	0	62
10/11/2016 20:11	sanda	68	Cliff Cl.S Rd, {Hosp}		Grosvenor St S, {Cros}	Done	0	62
10/11/2016 20:23	Corner Oswald Rd-	47	Hilton Ave, {Berik}	Town	High St., {Town}	Done	0	62
10/11/2016 20:38	Chris	58	Rochester Cl., {Dry}		Wilkinson Way, {Timb}	Done	0	62
10/11/2016 20:49	owm	Mallard Pub	Burringham Rd., {Dry}		Timberland, {Timb}	Done	0	62
10/11/2016 22:00	Tom	22	Franklin Cres., {Gln}		Rowland Rd, {Ceme}	Done	0	62
10/11/2016 22:14	18 School Houses	Esso	Berkeley Circ., {Berik}		Cottage Beck Rd, {Ceme}	Done	0	62
10/11/2016 22:30	Lowe	Open Hearth	Warley Rd., {Gln}		King Edward St, {Ceme}	Done	0	62
10/11/2016 22:51	Daldliesh	36	Hamilton Rd, {Wcl}	Travel Lodge	Gallagher Retail Pk., {Berik}	Done	0	62
10/11/2016 23:01	Mcarthy	Mulligans	Berkeley St, {Cros}		Cliff Gdhs., {Hosp}	Done	0	62
10/11/2016 23:20	Robertson	Frod Rd Club	Frodingham Rd., {Cros}		Plum Tree Way, {Ceme}	Done	0	62
10/11/2016 23:42	Andy	20	The Dales, {Hlr}	Base	Frodingham Rd., {Cros}	Cancelled	62	62
11/11/2016 17:09	Smith	1	Beauchamp Wlk., {Ceme}	90	Mary St, {Town}	Done	0	52
11/11/2016 17:15	Watson	Asda Extra	Fenton St., {Town}	31	Russell Cl. {Cros}	Done	0	52
11/11/2016 17:34		Base	Frodingham Rd., {Cros}	50	Rose Wlk., {Town}	Done	0	52
11/11/2016 17:46	Glenys	45	Plum Tree Way, {Ceme}	Comet Pub	Rochester Cl., {Dry}	Done	0	52
11/11/2016 18:14	Taylor	Mallard Pub	Burringham Rd., {Dry}		East Comn. La., {Ceme}	Done	0	52
11/11/2016 18:19	amy	Asda Extra	Fenton St., {Town}	90	Lakeside Pk.Way, {Derw}	Done	0	52
11/11/2016 18:41	Lidal	Argos	Lakeside Pk Wy, {Derw}		Lilac Av., {Ceme}	Done	0	52

11/11/2016 18:59	paulina	4	Taylor Ct, {Hend}	Amf Bowling Centre	Warren Rd., {Cros}	Done	0	52
11/11/2016 19:15	paxton	49	Theodore Rd, {Hend}	Town	High St., {Town}	Done	0	52
11/11/2016 21:00	robinson	Brumby Hall	Ashby Rd., {Linc}	East Butterwick	Doncaster Rd., {Hosp}	Done	0	52
11/11/2016 21:38	Jake	Harrys Bar	Ashby High St., {Ever}	Harrys Bar	Annes Cres., {Linc}	Done	0	52
11/11/2016 21:41	Louise	Mulligans	Berkeley St, {Cros}		Ashby High St., {Ever}	Done	0	52
11/11/2016 21:55	9 Old Village St	68	Merlin Rd., {Pri}	Town	Lichfield Av., {Dry}	Done	0	52
11/11/2016 22:05	Linsly	-Gunness, North Lincolnshire	{NAT}		High St., {Town}	Done	0	52
11/11/2016 22:25	Jamie	Redbourn Club	Cemetery Rd., {Ceme}	112	Church La. {Hosp}	Done	0	52
11/11/2016 22:30	Donna	16	Baysdale Rd, {Derw}	Town	High St., {Town}	Done	0	52
11/11/2016 22:40	Doris	Comet Pub	East Comm. La., {Ceme}	53a	Lilac Av., {Ceme}	Done	0	52
11/11/2016 23:00	Jade	19	Trent St., {Ceme}	Town	High St., {Town}	Done	0	52
11/11/2016 23:15	Green Tree	62	Priory La., {Pri}	Town	High St., {Town}	Done	0	52
11/11/2016 23:38	Crown Pub	-Messingham, North Lincolnshire	{NAT}	-Lincoln, Lincolnshire	{NAT}	Black	0	52
11/11/2016 23:52	Anna	-Messingham, North Lincolnshire	{NAT}	Town	High St., {Town}	Done	0	52
12/11/2016 00:03	charlie	35	Bushfield Rd, {Ceme}	2	Reginald Rd., {Hend}	Done	0	52
12/11/2016 00:11	Highcliff Farm	Gala Bingo	Winterton Rd., {Cros}	-Broughton, North Lincolnshire	{NAT}	Black	0	52
12/11/2016 00:30	Tony	-Kirton In Lindsey, North Lincolnshire	{NAT}	Town	High St., {Town}	Done	0	52
12/11/2016 01:06	Mr Lynski	1	Gunby Rd., {Ridd}		Ripon Cl., {Dry}	Done	0	52
12/11/2016 23:20	Marie	Polish Club	Detuyl St W., {Cros}	Premier Inn	Oakwood Ri., {Roch}	Done	0	124
12/11/2016 23:59	Ross	Normanby Hall	Normanby Rd., {Cros}		Lakeside Pk Wy, {Derw}	Done	0	124
13/11/2016 00:02	Joanna	27	Bottesford Rd., {Roch}	73	Cliff Gdns., {Hosp}	Done	0	124
13/11/2016 00:36	Watkins	11	Johnson Dr., {Timb}		Fox St, {Hend}	Done	0	124
17/11/2016 16:10	Jack	St Hughs School	Cambridge Rd., {Ever}	47	Cambridge Rd., {Ever}	Done	0	124
17/11/2016 16:55	Wauayne	Tesco	Bushfield Rd., {Ceme}	Grove Wharf	Jackson Rd, {Hend}	Desp	105	124
17/11/2016 17:03	Jeanette Hare	29	Doncaster Rd., {Berk}	2	Gunness, {Berk}	Done	0	130
17/11/2016 18:28	Kim	Asda Supermarket	Ashby Rd., {Pri}		Grammar School Wlk., {Ever}	Done	0	130
17/11/2016 19:00	Jade	Asda Supermarket	Balliol Dr, {Camb}	Shires Pub	Messingham Village, {Vvd}	Done	0	130
17/11/2016 19:44	Mr Humpfreys	6	Scotter Rd., {Dry}		Rochester Cl., {Dry}	Done	0	130
17/11/2016 20:00	Alexandra	39	Scotter Rd., {Dry}	7	Searby Rd, {Ridd}	Done	0	130
17/11/2016 20:57	Jeanette Hare	Shires Pub	Canterbury Cl., {Dry}		Frodingham Rd, {Cros}	Done	0	130
17/11/2016 22:00	tom	22	Earls Wlk., {Ceme}		Padstow Wlk., {Plym}	Done	0	130
17/11/2016 22:41	Back Car Park	26	Messingham Village, {Vvd}	29	Balliol Dr, {Camb}	Done	0	130
17/11/2016 23:00	Nurul	20	Franklin Cres., {Gln}	Town	High St., {Town}	Done	0	130
17/11/2016 23:16			Chapel Ct., {Cros}	1a	Detuyl St, {Cros}	Done	0	130
			The Dales, {Hlr}	Base	Frodingham Rd., {Cros}	Done	62	130

18/11/2016 17:17	Karen	7	Wragby Rd, {Ridd}	PIED PIPER PUB	Willoughby Rd., {Ridd}	Done	0	133
18/11/2016 17:45	Tony	163	Willoughby Rd, {Ridd}	Blue Bell Pub	Oswald Rd., {Town}	Done	0	133
18/11/2016 18:20	Randle	7	Kirkby Rd, {Ridd}	Bus Station	Fenton St., {Town}	Done	0	133
18/11/2016 18:23	Marris	Train Station	Station Rd., {Town}		Burringham Rd. {Dry}	Done	0	133
18/11/2016 19:14	Doctory	35	Cemetery Rd, {Ceme}		Warley Rd, {Ceme}	Done	0	133
18/11/2016 21:16	Joanne	Bluebell Pub	Oswald Rd., {Town}		Ashby Rd, {Ceme}	Done	0	133
18/11/2016 21:19	Robinson	Grosvenor	Frodingham Rd., {Cros}	Tavern Pub	High St, {Town}	Done	0	133
18/11/2016 21:30	Jenny	17	Bluebell Cl., {Town}	Lord Roberts	Wells St., {Town}	Done	0	133
18/11/2016 21:43	Wadsley	133	Station Rd Keadby, {Berk}	Class 6 Wine Bar	Doncaster Rd., {Hosp}	Done	0	133
18/11/2016 22:00	Foster (Round The Back)	Mondi Packaging Weekly	Foxhills Rd., {Hend}		Cemetery Rd, {Ceme}	Done	0	133
18/11/2016 22:44	Bradley	Mallard Pub	Burringham Rd., {Dry}	-Messingham Village	-MESSINGHAM VILLAGE {NAT}	Done	0	133
18/11/2016 23:00	daniel	62	Malvern Rd., {Wcl}	14	Girton Cl., {Camb}	Done	0	133
18/11/2016 23:15	Hughie	100	East Comm. La., {Gln}	Hosp	Cliff Gdns., {Hosp}	Done	0	133
18/11/2016 23:26	Cleo	Berkely Hotel	Doncaster Rd., {Hosp}		Ferry Rd, {Cros}	Done	0	133
18/11/2016 23:30	Rebecca	Wortley Hotel	Rowland Rd., {Ceme}	Town	High St., {Town}	Done	0	133
18/11/2016 23:50	lucy	2	Lloyds Av., {Wcl}	Town	High St., {Town}	Done	0	133
18/11/2016 23:59	Anton	Priory Pub	Ashby Rd., {Pri}	25	Stockhill Rd., {Linc}	Done	0	133
19/11/2016 00:20	Carol	Asda Supermarket	Scotter Rd., {Dry}	24	Merlin Rd., {Pri}	Done	0	133
21/11/2016 07:08	Blakin	Sainsbury	Doncaster Rd., {Hosp}		Burke St, {Cros}	Done	0	164
21/11/2016 07:18		65	Edgemere, {Berk}	Foxhills Industrial Estate	Phoenix Pk.Way, {Fox}	Done	0	164
21/11/2016 07:41		58	Connaught Rd., {Cros}	Base	Frodingham Rd., {Cros}	Done	62	164
21/11/2016 08:00	sara	119	Connaught Rd., {Cros}	Town	High St., {Town}	Done	0	164
21/11/2016 08:50	Michelle	St Peters St Pauls	Lakeside Pk Wy, {Derw}	Ashby Turn	Ashby Turn, {Roch}	Done	0	164
21/11/2016 09:05	shane to do	Priory Lane School	Priory La., {Pri}	Town	High St., {Town}	Done	0	164
21/11/2016 09:25	owm	56	Laurel Way, {Timb}	Hospital	Meadow Rd, {Dry}	Done	0	164
21/11/2016 10:05		56	Teale St., {Cros}		Church La., {Hosp}	Done	0	164
21/11/2016 10:30		55	Lichfield Ave, {Dry}		Oswald Rd, {Hend}	Done	0	164
21/11/2016 10:50		2	Allanby St, {Town}	Railway Station	Station Rd., {Town}	Done	0	164
21/11/2016 11:05		35	Barnes Cres., {Hend}	Randolph House	Ferry Rd W., {Skipp}	Done	0	164
21/11/2016 11:21	Grift	78	Oswald Rd., {Town}		Lichfield Ave, {Dry}	Done	0	164
21/11/2016 11:45	Macolway	79	Somerby Rd., {Ridd}		Victoria Rd., {Roch}	Done	0	164
21/11/2016 12:41	Dew	18	Glanville Rd, {Fox}	Tesco Bus Stop	Doncaster Rd., {Hosp}	Done	0	164
21/11/2016 13:30		46	Lincoln Gdns., {Linc}	Screw Fix	Normanby Rd., {Fox}	Done	0	164
21/11/2016 13:43	Stevens	52	Long Rd., {Hend}	Hsbc	Town, {Town}	Done	0	164
21/11/2016 14:10	Morna	Randolph House	Ferry Rd W., {Skipp}	46	Spencer Av., {Hend}	Done	0	164
21/11/2016 14:25	Shane To Do	Crosby House Flats	Chapel St., {Cros}		Caenby Rd, {Ridd}	Done	0	164
21/11/2016 14:53		Base	Frodingham Rd., {Cros}	Town	High St., {Town}	Done	62	164
21/11/2016 14:55	Abagail	John Leggot College	West Comm. La., {Wcl}		Cliff Cl.S Rd, {Hosp}	Done	0	164

21/11/2016 15:30	Norman	Alvingham Rd Day Centre	Alvingham Rd., {Linc}	Chatterton Cres., {Cros}	Done	0	164
21/11/2016 15:37	Hotchin	27	Tomlinson Ave, {Hend}	Detuyl St W., {Cros}	Done	0	164
21/11/2016 15:48	Smith	Ironstone Centre	West St., {Cros}	Theodore Rd, {Hend}	Done	0	164
21/11/2016 16:00	Marcus Doncaster	New Beacon House	Kingsway, {Ceme}	Canterbury Cl., {Dry}	Done	5	164
21/11/2016 16:14	Nikita	33	Helston Wlk., {Plym}	Church La., {Hosp}	Done	0	164
21/11/2016 16:15	Nicola	North Lindsey College	Kingsway, {Wcl}	Hempdyke Rd, {Hend}	Done	0	164
21/11/2016 16:47	Richard	Job Centre	Station Rd., {Ceme}	Anderson Rd, {Gln}	Done	0	164
24/11/2016 16:55		St Hughs School	Bushfield Rd., {Ceme}	Jackson Rd, {Hend}	Done	105	164
24/11/2016 17:11	4 Acacia Ave	Charnwood	Ferry Rd W., {Skipp}	St Margarets Wlk., {Ever}	Done	0	164
24/11/2016 17:45	Fernando	Brumby Corner	Old Brumby St, {Linc}	Scotter Rd., {Dry}	Done	0	164
24/11/2016 18:30	Lowley	1	Linnet Gth., {Derw}	Holly Cl., {Timb}	Done	0	164
24/11/2016 18:44		Beacon Pub	Burrougham Rd., {Dry}	Somerby Rd., {Ridd}	Done	0	164
24/11/2016 19:01	chris	Asda Supermarket	Scotter Rd., {Dry}	Warley Rd., {Gln}	Done	0	164
24/11/2016 19:15	natalie	35	Cemetery Rd, {Ceme}	Warley Rd., {Gln}	Done	0	164
24/11/2016 19:30	got dog	13	Grasby Rd., {Ridd}	Pheonix Pk.Way, {Town}	Done	0	164
24/11/2016 19:58	Persclough	2	Collum Av., {Linc}	St Margarets Wlk., {Ever}	Done	0	164
24/11/2016 20:15	northfield	Train Station	Station Rd., {Town}	Gallagher Retail Pk., {Berk}	Done	112	164
24/11/2016 20:36	Kay	Ae Hosp	Cliff Gdns., {Hosp}	Ashby, Scunthorpe {Scun}	Done	0	164
24/11/2016 22:50	Footit Church In Ca	119	Everest Rd., {Ever}	Grange La. N, {Gln}	Done	0	164
24/11/2016 23:08	Hughes	Ashby Cons	Warley Rd, {Ceme}	Cliff Gdns., {Hosp}	Done	0	164
24/11/2016 23:08	Pavrell	119	Frod Rd Club	Plum Tree Way, {Ceme}	Done	0	164
24/11/2016 23:22	Robertson	0	Frodingham Rd., {Cros}	Franklin Cres., {Gln}	Done	0	164
25/11/2016 16:54	31a Ashtree Close	-Belton, North Lincolnshire	{NAT}				
25/11/2016 17:41	Heart Foundation	148	High St Town, {Town}	{NAT}	Done	0	164
25/11/2016 20:43	Lindsey	29	Dowse Av., {Hend}	Cliff Cl.S Rd, {Hosp}	Done	0	164
25/11/2016 20:45	Sykes	33	Willoughby Rd, {Pri}	Leslie Ct, {Town}	Done	0	164
25/11/2016 21:10	Linda	Gala Bingo	Winterton Rd., {Cros}	Southfield Rd, {Ever}	Done	0	164
25/11/2016 21:32	Ayesha	Lincoln Imp	Gloucester Av., {Linc}	Bellingham Rd., {Gln}	Done	0	164
28/11/2016 07:40	Howell	0	Trent Vw. Hse, {Pri}	Ashby Rd., {Linc}	Desp	0	119
28/11/2016 07:50	Down The Side	12	Balliol Dr, {Camb}	Ashby High St., {Roch}	Desp	0	119
28/11/2016 08:00		34	Chancel Rd, {Roch}	Lakeside Pk Wy, {Derw}	Desp	0	119

NORTH LINCOLNSHIRE COUNCIL

RECORD OF TAPE RECORDED INTERVIEW

Person Interviewed : Shane Conneely		Interviewing Officer : Sophie Whipps
Defendant		Identifying Mark
Place and Date of Interview 25.10.17 CHURCH SQUARE HOUSE, SCUNTHORPE		Exhibit Ref Mark SW1, SW2, SW3 and SW4
Time Commenced 14:40	Concluded 14:56	Other Person(s) Present Nicola Ellis
Tape Reference Number 000182		

DECLARATION: This record consisting of 9 pages is the exhibit/identifying mark, reference.....referred to in the Statement made and signed by me.

Signature: Interviewing Officer.....

Rank.....

Signature of Officer preparing record.....
(if different from above)

Officers Name **Tracey Bain**

Rank **ADMINISTRATION OFFICER**

Tape Times	Initials of the speaker where direct speech is used	Record
00:30	SW	This interview is being recorded, it is Wednesday the 25 th October 2017 and the time in the room is 14:40. The place is room S10, Top Floor at Church Square House, Scunthorpe. I'm Sophie Whipps Licensing Officer for North Lincolnshire Council. Mr Conneely, for the benefit of the recording, can you please identify yourself by giving your full name and your date of birth and your address
	SC	Yes right, It's Shane Michael Conneely Fifteenth of the second Eighty Eight, 39A Meredyke Road, Luddington.
	SW	Thank you, also present at the interview is Nicola Ellis. For the benefit of the recording, please introduce yourself, giving your name and position.
	NE	Yes its Nicola Ellis Licensing and Mediation Officer
01:00	SW	Thank you, right Mr Coleeny, I'm going to caution you. You do not have to say anything, but it may harm your defence, if you do not mention when questioned, something which you later rely on in court. Anything you do say may be given in evidence. Do you understand?
	SC	Yes
	SW	So you're not under arrest, and you may leave at any time or you may obtain legal advice before answering any questions

NORTH LINCOLNSHIRE COUNCIL

RECORD OF TAPE RECORDED INTERVIEW (continued)

Person Interviewed: Shane Conneely	Signature of Officer preparing record: [REDACTED]	Page: 2
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Tape Times	Initials of the speaker where direct speech is used	Record
	SW	At the end of the interview you'll be given a notice, which explains what will happen to the recording. And how you can obtain a copy of it if you want one. And you'll also be asked to sign to indicate where the copy of the recording is to be sent. Whether you want it to go to yourself or a solicitor. That's if the decision is to prosecute.
	SC	Ok
01:30	SW	Ok so the details of the offense, is the Road Traffic Act 1988 section 143, due to users of motor vehicle to be insured or secured against third party risks. And the background information is you applied to renew your private hire driver's license and an additional license to drive a hackney carriage vehicle. And that was received on 26 th of June 2017. You declared on your application, that in October 2016 you'd been disqualified from driving for six months. Your DVLA check code, which we obtained dated the 12 th July 2017, shows you had one disqualification for a period of six months. Which started on the 7 th November 2016, and ended on the 6 th May 2017. There's no record that we have, that shows this offence was declared to the licensing authority, until the application form was received. So I'm just going to ask some questions, and ask you to confirm a couple of things. Can you confirm that this is your application form? That's S, Exhibit SW1.
02:00		
02:30		
	SC	I can yes
	SW	Yes, and that's where you've declared the conviction
	SC	Yes correct
03:00	SW	Ok so, we've got your check code here, this is exhibit SW2. Can you confirm that that is your information?
	SC	Yes I can
	SW	And it states here that there is one disqualification, the start date of 7 th November 2016 which ended on 6 th May 2017
	SC	yes
	SW	Is that correct?
	SC	That's correct
	SW	Yes. Can I just ask why you didn't declare this to us?
03:30	SC	Yes because at the time when, because, right wait, I just want it sorted. At one point I was working as an Ice Cream Man, and I'd just gone back to JUJ Taxi in November. I didn't know until December that I was actually disqualified, until I went to hire a car. I'd never got any post through to me, because I'd just split up from my partner. And it had all been sent there, she didn't give me it until December.
	SW	ok
	SC	So at that point I didn't know I was disqualified, I didn't even know it went to court.
	SW	Ok. Right this is your most current Private Hire Vehicle Driver's License, it has now expired on the 16 th July 2017. Can you confirm that this is yours?

NORTH LINCOLNSHIRE COUNCIL

RECORD OF TAPE RECORDED INTERVIEW (continued)

Person Interviewed: Shane Conneely	Signature of Officer preparing record: [REDACTED]	Page: 3
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Tape Times	Initials of the speaker where direct speech is used	Record
	SC	Yes
04:00	SW	This is exhibit SW3, so on the back of this license which you should have received, does state your license conditions. I will just point out
	SC	Hh
	SW	That paragraph eleven of the conditions, says that the driver shall immediately disclose to the council in writing details of any conviction imposed on him or her during a period of the license, motoring or criminal. Ok? So just to point out that you didn't
	SC	alright
	SW	Notify us and that you was actually in breach of your conditions
	SC	Right ok
04:30	SW	Erm, so while you were banned, what did you actually do for..?
	SC	I was working in the office as a dispatcher
	SW	Ok, and do you remember the dates that you were working in there?
	SC	Well I started doing part time hours, from November because they were struggling to cover some shifts. And I'd just finished working as an ice cream man, it was end of season
	SW	Uh hm
05:00	SC	So they gave me a few office shifts and a few driving shifts. And I finished working with them in February, and I've actually gone back to them in the last couple of months
	SW	Uh hm
	SC	To cover more shifts, with what obviously as we are waiting to hear about my taxi license.
	NE	You finished with them you say in February?
	SC	Yes, I I
	NE	This year?
	SC	I finished with them in February this year, then I've gone back to them within the last couple of months. It was July, I'd actually gone back to them.
	NE	OK
	SW	and this is JJJ isn't it?
	SC	It is JJJ Taxis yes
05:30	SW	When you did realise that you were banned from driving, did you notify the authority?
	SC	I went straight into the office on that morning when I went to hire a car, because they'd obviously told me I was disqualified. So I'd got all the details from them, and went

NORTH LINCOLNSHIRE COUNCIL

RECORD OF TAPE RECORDED INTERVIEW (continued)

Person Interviewed: Shane Conneely	Signature of Officer preparing record: [REDACTED]	Page: 4
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Tape Times	Initials of the speaker where direct speech is used	Record
	SC	Straight round to JUJ's and told Kirsty, who's the office manager there.
	SW	Did you just verbally notify her
06:00	SC	I had verbally notified her, then I showed her the paperwork that the ta, that the rental company had given me, detailing the disqualification.
	SW	Ok. So here I've got booking records, which I've obtained from JUJ, the office.
	SC	yes
06:30	SW	This is exhibit SW4. OK, so these show that between the 7 th of November 2016 and the 28 th of November 2016, that you carried out journeys for hire and reward, in 7 different licensed hackney carriage, er sorry private hire vehicles, erm. It actually shows that you did 9 journeys on the 7 th November. 24 journeys on the 10 th of November. 21 journeys on the 11 th of November. 6 journeys on the 12 th of November. 2 on the 13 th of November. 13 on the 17 th of November. 17 on the 18 th of November. 1 on the 19 th of November. 27 on the 21 st of November. 14 on the 24 th of November. 6 on the 25 th of November. 3 on the 28 th of November. All 2016. And that totals at 143 journeys, during that period of time where you were banned from driving
07:00	SW	
07:30	SC	right
	SW	So I just really want to ask, what you have to say about it? I know you've already explained
	SC	Yes
	SW	But is there anything else you need to add?
	SC	Well, eh I do have my tongue out I do have a bit of a stutter sometimes?
	SW	It's alright
	SC	It's the thing that's like if I had have known I was disqualified, I wouldn't I would not step, I wouldn't sit behind a wheel of a vehicle. I'm not like that, I'd I'd never drive a vehicle disqualified knowingly. Because I know it puts people's lives at risk, and obviously if there was an accident
	SW	Uh hm
	SC	I'm not insured
08:00	SW	Yes
	SC	The company's not insured and then it just ends up in, quite a mess for a lot of people.
	SW	Ok, so to clarify then, you didn't know and, because you didn't receive anything in the post
	SC	Yes
	SW	And had you not changed your address, or something?
	SC	Right well, at the time it was a temporary split from my partner, because we had a domestic incident, and I had to stay away from the property for a little while. So at that point, I thought she'd hand the post over to me, which she didn't until

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RECORD OF TAPE RECORDED INTERVIEW (continued)

Person Interviewed: Shane Conneely	Signature of Officer preparing record: [REDACTED]	Page: 5
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Tape Times	Initials of the speaker where direct speech is used	Record
08:30	SC	about midway through December, she handed me a big clump of post, and I checked through it all and a court letter in there. And it was about 30days late.
	NE	So, when did you get the court letter?
	SC	I got it, I received it to my person midway through December. I can't remember which date. Because I've had a lot of stuff go on since then. But there was a court letter which was about 30days late in the post.
	NE	When did you tell, take it straight, when did you you hire a car?
09:00	SC	Right I tried hiring a car, I think it was the first working day of December, so it would've been the 2 nd of December
	NE	Ok
	SC	I went to Ready Rent in Scunthorpe, as I used to do to hire a vehicle to take my kids out
	NE	Yes
	SC	That was straight after a nightshift at JUJ taxis working on the office
	NE	Uh hm
	SC	I went in, asked to hire a vehicle, they checked my license as they always do. I'm sorry sir you can't hire you one because you're disqualified. So they took me round to show me all the details, because I had no clue of it
	NE	Uh hm
09:30	SC	So I got them to print it off, took it straight through to JUJ's told JUJ's that I can't drive anymore, because I've just found out I'm disqualified, and they had to sort me a load of office hours out.
	NE	So, sorry Sophie, but you know when erm you'd been done for totting up. How many points did you have on your license?
	SC	I'd
	NE	And when was the last time, you'd been, done?
	SC	At one point I had, I'm presuming I had either 3 or 6 on my license, which were old points anyway
	NE	Hmm
10:00	SC	But then when I rang DVLA, they'd explained it all to me about how many points I would've had. But they stopped it at 12 and put it as totting up
	NE	When did they tell you that?
	SC	This was in December, when I spoke to them to see why I'd not had the post, about being disqualified or anything
	NE	So why wh.. hmhm, why did you get the last lot of points then? Why what happened?
	SC	It was a speeding offence, whilst I was working at JUJ's
	NE	Uh hm
	SC	And they'd done me for not reporting who the driver was. But I didn't even get any post through, so I couldn't report who it was. If I'd have known I would've sent it straight through to

NORTH LINCOLNSHIRE COUNCIL


RECORD OF TAPE RECORDED INTERVIEW (continued)

Person Interviewed: Shane Conneely	Signature of Officer preparing record: [REDACTED]	Page: 6
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Tape Times	Initials of the speaker where direct speech is used	Record
	SC	them
	NE	Uh hm
10:30	SC	Them, I am quite responsible, like if I get post I will respond to it
	NE	Hm
	SC	But if I've not got the post, then
	NE	So what do you mean, you you were speeding?
	SC	I'd got caught on the A180 as you turn into South Killingholme
	NE	Uh hm
	SC	About 4 maybe 6 mile an hour over the limit. And because I didn't report it, you get more points for what you would for speeding.
	NE	You didn't report it to who?
	SC	To the police when they'd sent the, because they send these speeding tickets through to the taxi company
	NE	Oh you need to acknowledge it don't you?
	SC	Yes
	NE	Yes, ok
11:00	SW	Have you got anything else you wanted to add about that
	NE	No, I was just thinking about, that was all, thankyou
	SW	Ok. Due to the gravity of the offence, erm we will be considering a prosecution
	SC	right
	SW	So there's 3 options that are available. Erm prosecution being one of them, it could be a formal caution which is like a simple caution which you would have to sign and send back
	SC	right
	SW	Or it maybe a written warning
	SC	ok
11:30	SW	So, if the decision is made to prosecute, the fine is a level 5 which is £5000, on the standard scale. Erm, did you want to clarify anything that you have said before we end the interview
	SC	Basically what I've said, is all I've got to say, because it is all I can really say on the matter
	SW	Ok, ok Nicola, we will now go through the notice, that we mentioned at the beginning of the recording. Erm and complete the form and the discs thing
12:00	NE	I confirm that the discs where sealed before we put them in the machine
	SC	Yes that's correct
	NE	And the seal number is 000182
	SC	Yes that is correct
	NE	Ok, Shane is it S H ANE
	SC	ANE yes

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RECORD OF TAPE RECORDED INTERVIEW (continued)

Person Interviewed: Shane Conneely	Signature of Officer preparing record: 	Page: 7
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Tape Times	Initials of the speaker where direct speech is used	Record
	NE	Is it double L or one L
	SC	One L and Y
12:30	NE	Thank you. And your date of birth is the 15 th of the 2 nd
	SC	1988
	NE	88. so the yellow one is your bit
	SC	Ok
		That you keep so you just know what to do if you want a copy of the disc
	SC	Yes
13:00	NE	There you go
	SC	Thank you
13:30	NE	Ok, these are your options if you going, if it goes to prosecution, you either don't want a copy of the disc. Erm you want a copy of the disc to be sent to your solicitor, and if you have one, what, you need to give us you're the details
	SC	I've not got one at the minute
	NE	Ok, you don't have a solicitor, so you want it sent to you?
14:00	SC	Yes please
	NE	Ok. If you could just put there, erm your signature
	SC	Yes
	NE	Today's date, full name and
	SC	Ok
	NE	Address below
	SC	I'm rubbish with dates. That's me isn't it
15:00	NE	Yes, pr print your name, and then your address underneath. Do you drive a hackney carriage, or I bef, at this point were you driving a hackney or private hire?
	SC	I was driving private hire
15:30	NE	Yes. I just need you to sign there Sophie, if you would
	SW	Uh hm
	NE	If you could sign at the bottom of that one for me
	SC	yes
16:00	NE	Please. Thank you. Ok?
	SW	Ok, I will now conclude the interview, the time is 14:56

