

NORTH LINCOLNSHIRE COUNCIL
LICENSING (MISCELLANEOUS) SUB-COMMITTEE

12 December 2024

PRESENT: -

T Ellerby, K Vickers (Chairman), P Vickers (Vice-Chair), S Armitage and P Clark

The meeting was held at the G01e and G02e Church Square House.

2128 SUBSTITUTIONS

There were no substitutions at the meeting.

2129 DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY.

There were no declarations of Disclosable Pecuniary Interests, Personal, Personal or Prejudicial Interests or significant contact with Applicants, Objectors or Third Parties.

2130 TO TAKE THE MINUTES OF THE MEETINGS HELD ON 21 NOVEMBER 2024 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.

Resolved – That the minutes of the meeting held 21 November 2024, having being printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

2131 ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES THAT MUST BE SPECIFIED.

There were no other items identified.

2132 EXCLUSIONS OF THE PRESS AND PUBLIC

Resolved – That the public be excluded from the meeting for consideration of the following item (minute 2133) on the grounds that they involved the likely discourse of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 21A of the Local Government Act 1972 (as amended).

2133 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - REVIEW OF A PRIVATE HIRE VEHICLE DRIVER'S LICENCE

The Director Communities submitted a report advising members of a review of a Private Hire Vehicle Drivers Licence to be determined by the sub-committee.

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The report contained background information on the process for determining such requests, the information to be taken into account and the circumstances in which the sub-committee could revoke a licence.

The options available to the sub-committee when considering such information were:

- To take no action.
- To warn the Licence Holder regarding their future conduct.
- To add additional conditions to the licence.
- To suspend the licence for a set period of time.
- To revoke the licence.

Should the sub-committee revoke the licence or impose additional terms, conditions or restrictions then the licence holder may appeal to the Magistrates Court within 21 days from the date on which they were notified of the decision.

Should the Magistrates uphold the decision of the council, the licence holders had further recourse to the Crown Court.

The procedure for dealing with such requests at meetings of the sub-committee had previously been circulated to members.

The licence holder, their representative and the Licensing Authority attended the meeting, made submissions and responded to members' questions.

Resolved – The Licensing (Miscellaneous) Sub-Committee listened carefully to the representations made by the Licensing Authority the License Holder and their representative at the hearing on 12 December 2024.

The sub-committee considered the circumstances under which the penalty points were awarded to the Licence Holder's DVLA Driving Licence between January and February 2024. However, they acknowledged and considered the detail put forward by the Licence Holder at the hearing on the circumstances that led to the convictions and showed genuine remorse for their actions. In addition, the sub-committee felt confident that the Licence Holder now fully understood the importance of notifying the Licensing Authority immediately of any changes to their DVLA Licence.

The sub-committee, as part of their deliberations considered Table 4 of Appendix C (Guidance to members on applications for Hackney Carriage and Private Hire Vehicle Drivers Licence) of North Lincolnshire's Taxi Licensing Policy. However, based on the circumstances of this case, the sub-committee used their discretion to deviate from policy on this occasion.

Therefore, the sub-committee agreed to allow the Licence Holder's Private Hire Vehicle Drivers Licence to continue as the councillors were satisfied that the Licence Holder was a fit and proper person in accordance with section 51 of the Local Government (Miscellaneous) Provisions Act 1976. The 6 warning points associated with the licence would remain on the Licence

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Holder's licence until they were due to expire.

However, the sub-committee would like to remind the Licence Holder that the national speed limit on a single carriageway for a minibus is 50mph. The sub-committee expected a standard of behaviour which provided a positive image of the taxi trade in North Lincolnshire and expect all licence holders to adhere to all road traffic legislation, taxi licence conditions, The Taxi Licence Policy and the Byelaws at all times.