

FAREHAM

BOROUGH COUNCIL

Minutes of the Licensing Panel

(to be confirmed at the next meeting)

Date: Tuesday, 11 September 2018

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor Pamela Bryant (Chairman)

Councillors: F Birkett and J S Forrest



1. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that the public and representatives of the press to be excluded from the remainder of the meeting in accordance with Section 100(a) of the Local Government Act 1972 on the grounds that the following matters to be dealt with involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12 of the Act.

2. APPLICATIONS FOR HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVING LICENCE(S)

Case 1

The Licence Holder was accompanied to the meeting by a representative from the Fareham Hackney Carriage Association.

The Panel considered a report by the Licensing Manager which contained exempt information in respect of a hackney carriage vehicle driving licence. A copy of the report was circulated to Members with the agenda.

The Licensing Officer reported regarding the case as information received required that the retention of the licence be determined by the Panel.

At the invitation of the Chairman and in accordance with the Council's standard procedure for the hearing of driving licence reviews, the Licence Holder addressed the Panel regarding the case and answered questions thereon.

Following the submission of the Licence Holder's representation, the Licence Holder, the Representative from Fareham Hackney Carriage Association and the Licensing Officer withdrew from the meeting whilst the Panel considered its decision.

After the Panel's deliberations, all parties were recalled to the meeting to hear the Chairman announce the Panel's decision as follows:-

The Panel has considered carefully the facts of the case and has determined that the driver does remain a fit and proper person in accordance with the legislation at this time. The accident is an isolated incident of this kind in a long driving history. Driving without due care and attention is a less serious offence and it is in accordance with policy that a warning be issued. Obviously, those driving the public are expected to have a high standard of driving and public safety is the paramount consideration of the Panel. As a result, such matters are considered seriously and may be taken into account in future if there are further issues of concern.

RESOLVED that the Licence Holder remains a fit and proper person to hold a hackney carriage driving licence and that the licence should remain in force.

Case 2

The Panel considered a report by the Licensing Manager which contained exempt information in respect of an application for a hackney carriage vehicle driving licence. A copy of the report was circulated to Members with the agenda.

The Licensing Officer reported regarding the case as information received required that the application be determined by the Panel.

At the invitation of the Chairman and in accordance with the Council's standard procedure for the hearing of driving licence reviews, the Applicant addressed the Panel regarding the case and answered questions thereon.

Following the submission of the Applicant's representation, the Applicant and the Licensing Officer withdrew from the meeting whilst the Panel considered its decision.

After the Panel's deliberations, all parties were recalled to the meeting to hear the Chairman announce the Panel's decision as follows:-

The Panel has considered very carefully whether the driver is a fit and proper person in accordance with the legislation. It is noted that there are two speeding offences in a short space of time. Evidence was heard that personal circumstances affected his driving at that time and that the offences are the only matters of concern over a 5-year driving history. Also it is noted that the speeds indicated are not excessive breaches of the limit. Driving offences are always taken seriously when considering public safety and it should be stressed that these matters may be considered and taken into account if there are future issues of concern. Taking all the above into account the Panel has determined that the driver is a fit and proper person at this time.

RESOLVED that the application for a hackney carriage vehicle driving licence be granted.

(The meeting started at 10.00 am
and ended at 10.55 am).