

Licensing Sub-Committee – Meeting held on Tuesday, 26th September, 2017.

Present:- Councillors Rasib (Chair), A Sandhu and Strutton.

Officers Present:- Tolani Idowu, Licensing Officer, Shabana Kauser, Senior Democratic Services Officer, Alison Peters, Legal Representative and Nabihah Hassan-Farooq, Democratic Services Officer.

PART 1

9. Declarations of Interest

None.

10. Guidance on Predetermination/ Predisposition

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

11. Minutes of the Meeting held on 15th August 2017

Resolved- That the minutes of the last meeting held on 15th August 2017 be approved as a correct record.

12. Exclusion of the Press and Public

Resolved- That the press and public be excluded from the remainder of the meeting as the items to be considered contained exempt information relating to individuals as defined in Paragraph 1 of Part 1 Schedule 12A to the Local Government Act 1972 (as amended)

13. Private Hire Driver Conduct Hearing- (Reference 01-17)

Following introductions, the Chair outlined the procedure for the hearing. It was confirmed that all parties had received a copy of the paperwork.

The Licensing Sub-Committee was asked to consider whether Appellant 01-17 was a fit and proper person to continue to hold a Private Hire Driver's licence in Slough.

Members were informed that the Private Hire Driver licence held by Appellant 01-17 had expired on 18th September 2017. It was clarified that although the Sub-Committee didn't have the authority to revoke or suspend the licence, Members were being requested to give consideration on making a recommendation as to when a new application for a Private Hire Driver's licence should be submitted.

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Details of the incident which had led to the convictions were summarised and the relevant policy and legislative framework was brought to Members attention. It was noted that the Council's Policy and Guidance on convictions and cautions for Hackney Carriage Drivers, Private Hire Drivers and Private Hire Operators (September 2017) stated that following a conviction relating to threatening/abusive words or behaviour, no new application would be entertained until a 10 year free period from the date of conviction. Furthermore, the Appellant had failed to notify the Council of his convictions, within 7 days of the convictions being imposed, which was a breach of condition of his Private Hire Driver Licence.

The Driver addressed the Sub-Committee and explained the circumstances regarding the incident in February 2017. The Appellant recognised that he had not reacted in an appropriate manner to the situation and had shown remorse by pleading guilty to the charges at the Magistrate's Court.

It was noted that the Appellant was convicted by Berkshire Magistrates Court in April 2017, for the offences set out above and the Sub-Committee took into account that a custodial sentence was not imposed.

Having considered all the information available, the Sub-Committee recommended that a period of 18 months should lapse, from the date of the conviction, before any new application for a Private Hire Driver Licence was made. The Sub-Committee therefore recommended that no such application be made until after 11th October 2018.

Resolved- The Sub Committee recommended that Private Hire Driver Reference 01-17 not submit an application for a Private Hire Driver Licence until after 11th October 2018.

Chair

(Note: The Meeting opened at 10.01 am and closed at 10.30 am)