

Minutes of the Meeting of the Licensing Sub-Committee held on 21 September 2016 at 7.00 pm

Present: Councillors Ben Maney (Chair), Chris Baker and Joycelyn Redsell

Apologies: Councillors

In attendance:
Elizabeth Cox, Licensing Officer
Paula Parrot
Simon Scrowther, Legal Representative
Jessica Feeney, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

17. Items of Urgent Business

There were no items of urgent business.

18. Declarations of Interests

There were no declarations of interests.

19. Determination of a New Private Hire Vehicle Application

Mr John Richmond submitted an application for a Private Hire vehicle licence. The proposed vehicle falls outside the pre-licensing standards contained within the Hackney Carriage and Private Hire Vehicle Specification and Licence Conditions.

On 5th September 2016 John Richmond submitted a new application for a Private Hire Vehicle licence. The vehicle was a Ford Mondeo, registration AV11 YYW. The vehicle was first registered on 31 July 2011; therefore it does not meet the Private Hire Vehicle Pre-Licensing Standards in relation to section 1.1, which states:

1.1. When first submitted for licensing, must be less than 4 years of age.

The vehicle was previously licensed as a Private Hire Vehicle by Thurrock Council between 7 May 2015 and 3 March 2016. A renewal application for the vehicle licence was not submitted and therefore the licence expired.

On 1 March 2016, prior to the vehicle renewal, Mr Richmond contacted the Licensing Department to advise he was suffering from an illness and undergoing treatment which meant he was not driving. Mr Richmond was advised that if the licence expired he could attend a sub-committee hearing in order to request the vehicle to be re-licensed.

The vehicle completed a compliance check at Thurrock Council's Fleet Management garage on 13 September 2016. An update of the result of the check will be given at the hearing.

All parties summarised their cases and the Sub Committee retired to consider its decision accompanied by the Clerk and Legal Adviser at 19.09.

The Committee reconvened at 19.13.

The new private hire vehicle application was granted.

20. Review of a Private Hire Driver Licence

Councillor Chris Baker declared an interest as he had communicated with Mr Venus in the past in his position of a councillor in relation to Council matters. Councillor Baker had also been a passenger in Mr. Venus's Taxi.

Mr John Venus (DOB: 18/09/1972) has been a licensed Private Hire Driver at Thurrock Council since 22nd April 2015. On 14 July 2016 he received a motoring conviction for failure to give information to identify driver, which put him outside the Council's Statement of Policy and Guidelines relating to the relevance of Convictions, Formal / Simple Cautions, Complaint and / or other matters.

On 9th August 2016 Mr Venus contacted the Licensing Department by phone to advise he had received a motoring conviction. A further online check was completed, the conviction detailed an MS90, 6 penalty points the offence date was the 4 December 2015.

The other conviction on Mr Venus' DVLA licence has previously been declared to the Licensing Department by Mr Venus; no further action was taken. The conviction is detailed as an SP30, 3 penalty Points the date of the offence was 31 January 2015.

The Chair of the Committee questioned if any further action was taken for the first motoring conviction. The Licensing Officer confirmed that the driver's conviction was not put before the Licensing Sub Committee and confirmed that no further action was taken. It was questioned further the timeframe in which convictions must be declared to the licensing department. The Licensing Officer confirmed that this was 7 working days.

Mr. Venus declared that he received the penalty and completed the paperwork and sent it back to the DVLA. It was also added that he was moving house at the time and did not receive any further notifications.

All parties summarised their cases and the Sub Committee retired to consider its decision accompanied by the Clerk and Legal Adviser at 19.30.

The Committee reconvened at 20.22.

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It was resolved that the private hire driver licence was suspended for two months with the request that the applicant complete a DSA Driving Assessment or a private company alternative, and if not applicable Thurrock Councils taxi knowledge test. If the applicant failed to complete the licence would be revoked.

The meeting finished at 8.22 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**