



## Minutes of the Licensing Sub-Committee

23 August 2012

-: Present :-

Councillors Addis, Pentney and Bent

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### 15. Election of Chairman

Councillor Pete Addis was elected as Chairman for the meeting.

### 16. Taxi Driver Report

Members considered a report on the suspension of a Hackney Carriage Driver whose Medical Certificate expired on 9 July 2012.

Written Representations received from:

Name	Details	Date of Representation
Licensing Authority	Letter requesting the submission of an updated medical certificate.	11 July 2012
	Letter regarding the suspension of Torbay Council Issued Drivers Licence due to an updated medical certificate not being received.	26 July 2012
	Letter informing the Driver of the Licensing Committee hearing date and enclosing the Report.	13 August 2012

Oral Representations received from:

Name	Details
Licensing Authority	Senior Licensing Officer outlined the matter, as set out in the Committee Report and responded to Members questions.

The Licensing Sub-Committee noted that the Hackney Carriage Driver had not exercised his right to be present at the hearing and agreed it was in the public interest to continue with the meeting.

Decision:

That Mr Orwell's Hackney Carriage Driver's Licence be revoked, as in accordance with section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 because Members could not be satisfied that he remained a fit and proper person to hold such a licence. In addition Members of the Sub-Committee resolved that this revocation shall have immediate effect in the interest of public safety, as in accordance with 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.

Reason for Decision:

Having carefully considered the Licensing Sub-Committee report and the attached appendices, Members resolved that Mr Orwell had been given sufficient opportunity to provide the necessary Medical Certificate, having been advised in writing on two separate occasions and during a telephone conversation with an Officer of the Council of the need to provide such a certificate in order to remain a licensed driver. Despite this, Members noted to date that Mr Orwell has still not provided this certificate.

In addition Members were concerned that having implied to the Council's Licensing Department that he was no longer living at the address he had provided to the Council, Mr Orwell when asked was not prepared to give an alternative address to Officer's. Members noted that as in accordance with Section 2, Part C, point 7 of the Council's Hackney Carriage & Private Hire Drivers Handbook, this was a requirement to do so.

In concluding Members noted that Mr Orwell had not taken the opportunity to appear before them to explain his circumstances and therefore felt that they were left with no option but to revoke his driver's licence to ensure public safety.

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Chairman