

Committee: Licensing
Date: 29 March 2007
Agenda Item No: 2
Title: Consideration of a Private Hire Driver's Licence
Author: Murray Hardy, Licensing Officer
01799 510598

Summary

- 1 This report deals with a matter where a licensed private hire driver no longer meets with Council's licensing standards. These standards are no longer met by virtue of the driver having been convicted of a serious motoring offence. A serious motoring offence is defined as one where six or more penalty points have been endorsed on the drivers licence.

Situation

- 2 On 6 February 2006 Richard Howard now residing at 46 Winnipeg Way, Turnford, Hertfordshire was granted a private hire drivers licence to drive licensed vehicles operating on behalf of Checker Cars based at Stansted Airport. This is an annual licence that will expire on 30 September 2007.
- 3 On 4 February 2007, this Council was notified by Mr Howard that he had been convicted of using a motor vehicle without being insured and that he received 6 penalty points being endorsed on his driving licence.
- 4 Following receipt of that information arrangements were made for Mr Howard to attend the Council Offices in Saffron Walden to be interviewed by the Licensing Enforcement Officer and this took place on 12 February 2007.
- 5 The incident that led to this conviction occurred on 18 December 2006 when he was driving his private motor vehicle in High Wych, Hertfordshire en route to commence work at Stansted Airport.
- 6 He was stopped by Officers from Hertfordshire Police who were using the automated number plate recognition system which revealed that the vehicle was not insured. This fact was communicated to him by the Police which came as a complete shock to Mr Howard. To confirm the information the Police did call the insurance company from the roadside which revealed that the vehicle was not insured and that cover stopped some weeks earlier.
- 7 The Police subsequently seized the motor vehicle and he was issued with a Fixed Penalty Notice for £200. In addition he was given an HO/RT/I for production of all his driving documents. He produced the remaining documents at Cheshunt Police Station which were in order.

- 8 Following this incident he contacted his bank as he paid the insurance premiums by direct debit and found that they had suspended all activities concerning his account. This meant that the direct debit had not been honoured thus no premiums had been paid to the Insurance Company. The bank took this action due to a disagreement between Mr Howard and the bank over a disputed credit card payment. According to Mr Howard the bank is allowed to take this action without notifying the account holder. Clearly he believed that he was covered and he stated that no correspondence was received by him regarding the action taken by the bank.
- 9 On 1 February 2007 he attended Stevenage Police Station where he paid the £200 fine surrendered his licence and upon return to find that 6 penalty points had been endorsed on his driving licence. Currently that licence is at DVLA Swansea for a change of address.

RECOMMENDED that

- 1 Members determine whether or not Mr. Howard is still fit and proper person to hold a private hire drivers licence.
- 2 In the event the Committee determine that Mr. Howard remains a fit and proper person whether the Committee find as a fact that he has breached the conditions of his license and if so whether any sanction should be applied.

Background Papers: Notification of Conviction from Mr Howard.