

Committee: Licensing and Environmental Health
Committee
Date: 27th March 2013
Title: Determination of a Private Hire Driver's
Licence
Author: Murray Hardy (01799) 510598

Agenda Item

10

Item for
decision

Summary

This report is to inform Members of an application for the renewal of a Private Hire Driver's Licence.

Recommendations

The Committee determine this application.

Background Papers

Copy of the application to renew a Private Hire Driver's Licence
Copy of the DVLA Licence
Copy of licensing standards
Copy of current Private Hire Driver's Licence

Impact

Communication/Consultation	None.
Community Safety	The authority has a duty only to licence drivers who are considered to be fit and proper.
Equalities	None.
Finance	None.
Health & Safety	None.
Human Rights/Legal Implications	Members are obliged to grant a licence to an applicant who holds a full current driving licence and has held one for at least 12 months but must not grant a licence unless they are satisfied that the applicant is a fit and proper person. In the event of an application being refused the applicant has a right of appeal to a Magistrates Court. Whilst it is legitimate for councils to have policies, they may not be rigidly bound by them and must be prepared to make exceptions to policy in appropriate

Author: Murray Hardy

Version Date: 19th March 2013

	circumstances.
Sustainability	None.
Ward-specific impacts	None.
Workforce/Workplace	None.

Situation

- 1 Bruce Maclure of 2 The Terrace, Horseheath, Cambridgeshire has made application to this authority for the renewal of a Private Hire Driver's Licence. Examination of the renewal form does disclose that the applicant has received a Notice of Intended Prosecution issued by Cambridgeshire Constabulary for an offence of excess speed in a 30mph area on 24th February 2013.
- 2 This matter now means that Mr Maclure does not meet our licensing standards insofar as he now has a motoring offence pending. The relevant licensing standard states that an applicant should not have a pending prosecution for any criminal or motoring offence.
- 3 Whilst each case will be dealt with on its individual merits, applications for a new licence from a person who fails to meet these standards will not normally be renewed.
- 4 If this application were successful then he would be offered continued employment with 24 X 7 who are based at Stansted Airport.
- 5 Mr Maclure's current licence expires on 31st March 2013.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
An unfit person is authorised to drive private hire vehicles in the district.	1 – Members are aware of and apply our licensing standards.	4 – Permitting unfit persons to drive may cause damage to property, personal injury or even death.	Members only grant a licence if they are satisfied that Mrs Maclure is a fit and proper person.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Author: Murray Hardy

Version Date: 19th March 2013