

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
MISCELLANEOUS LICENSING SUB-COMMITTEE
held in Committee Room One, Council Offices, Woodgreen, Witney, Oxon
at 10.00am on 17 August 2016

PRESENT

Councillors: N A MacRae MBE (Chairman), M Brennan, E H James and G Saul

10. MINUTES

RESOLVED: that the minutes of the meeting of the Sub-Committee held on 14 June 2016 be approved as a correct record and signed by the Chairman.

11. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr S J Good.

12. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

13. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

14. REVIEW OF A HACKNEY CARRIAGE DRIVERS LICENCE

The Sub-Committee received and considered the report of the Group Manager of Environmental and Regulatory Services containing exempt information regarding the review of a Hackney Drivers Licence, copies of which had been circulated.

The Licensing Officer introduced the report and advised that the Hackney Carriage Licence had been suspended under delegated powers as the driver had not notified the Council of his medical condition as required under the terms of the licence and had been unable to provide a satisfactory medical report when submitting an application for the annual renewal.

The driver was then interviewed by the Sub-Committee and explained that he had not notified the Council of the episode he suffered in October 2015 as medical investigation had proved inconclusive and the consultant's advice at that time had been to refrain from driving for a period of one month only. He had not required any medication or follow up action, nor had he been referred to his GP.

The driver confirmed that he had adhered to this restriction and had believed that he was able to resume driving a licensed vehicle after that time without further recourse to the Council. It had not been until he had received the medical report required on the renewal of his licence that the applicant had been made aware that, under the Group 2 Licence medical standards adopted by the Council, he could not drive a licensed vehicle for a period of one year following a medical episode of this nature.

The applicant confirmed that he remained fit and well and had not suffered any reoccurrence of the symptoms experienced. Further, he was not aware of any other medical issues affecting his fitness to drive.

Having considered the report and the evidence given by the driver the Sub-Committee:

RESOLVED:-

- (a) That, having regard to the report and the evidence presented at the meeting, no further action be taken in respect of the applicant's failure to notify the Council of the medical episode suffered in October 2015.
- (b) That, in view of the information provided in the Medical Report, the applicant's Hackney Carriage Licence remain suspended until 18 October 2016 but that the licence be renewed thereafter providing that he does not suffer any reoccurrence of the symptoms experienced or any other medical issues affecting his fitness to drive.

The public was then readmitted to the meeting and, informing the driver of the decision, the Chairman advised that, whilst the Sub-Committee was bound to take account of medical advice received, it would be prepared to review the suspension should the applicant be able to provide a satisfactory medical report in the interim.

15. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

The Sub-Committee received and considered the report of the Group Manager of Environmental and Regulatory Services containing exempt information regarding the review of a Hackney Carriage Drivers Licence, copies of which had been circulated.

The Licensing Officer introduced the report which gave details of the endorsements on the driver's licence.

The Sub-Committee noted that the driver had failed to notify the licensing authority of the endorsements as required under the terms of her licence.

The driver was then interviewed by the Sub-Committee, presenting her case for the retention of a licence, and providing an explanation of her failure to give notice of the endorsements.

Having considered the report and the evidence given by the driver the Sub-Committee:

RESOLVED: That, having regard to the report and the evidence presented at the meeting, the Hackney Carriage Driver's Licence be suspended for a period of three weeks.

The public was then readmitted to the meeting and, in advising the licence holder of the decision, the Chairman informed her that the Sub-Committee did not consider her explanation to be satisfactory and emphasised the importance of complying fully with the terms and conditions attached to a Licence.

16. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

The Sub-Committee received and considered the report of the Group Manager of Environmental and Regulatory Services containing exempt information regarding the review of a Hackney Carriage Drivers Licence, copies of which had been circulated.

The Licensing Officer introduced the report which gave details of the endorsements on the driver's licence.

The Sub-Committee acknowledged that the driver had notified the licensing authority of the endorsements as required under the terms of his licence.

Having considered the report and the evidence given by the driver the Sub-Committee:

RESOLVED: That, recognising that the driver had notified the licensing authority of the endorsements and in view of the evidence submitted by the licence holder, the Hackney Carriage Driver's Licence be not suspended or revoked and, subject to all other relevant circumstances remaining unchanged, the Group Manager of Environmental and Regulatory Services be authorised to renew the licence.

The public was then readmitted to the meeting and, in advising the licence holder of the decision, the Chairman emphasised the high standard of driving expected by the Council and cautioned him to ensure that he did not accrue any further endorsements in the future.

The meeting closed at 10:30am

CHAIRMAN