

LICENSING BOARD

Venue: Town Hall, Moorgate
Street, Rotherham. S60
2TH

Date: Wednesday, 13 October
2010

Time: 9.30 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Minutes of the Board held on 15th September, 2010 (herewith) (Pages 1 - 3)
4. Exclusion of the Press and Public.
The following item is likely to be considered in the absence of the Press and Public as being exempt under the Police Act 1997 and Paragraphs 3 and 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime)
5. Applications for the Grant/Review of Hackney Carriage/Private Hire Drivers' Licences (reports herewith) (Pages 4 - 15)

LICENSING BOARD
Wednesday, 15th September, 2010

Present:- Councillor Wootton (in the Chair); The Mayor (Councillor McNeely), Councillors Barron, Buckley, Burton, Dodson, Donaldson, Falvey, Gouly, J. Hamilton, N. Hamilton, Havenhand, Jack, Nightingale, Rushforth, P. A. Russell, Sangster, Slade and Swift.

An apology for absence was received from Councillor Doyle.

Q17. MINUTES

Resolved;- That the minutes of the meeting of the Licensing Board held on 11th August, 2010, be approved as a correct record for signature by the Chairman.

Q18. AMENDMENT TO CRB DISCLOSURE AND MEDICAL CERTIFICATION PROCEDURE

The Board considered a report by the Director of Housing and Neighbourhood Services on proposals to streamline the current Licensing Authority procedures relating to the obtaining of CRB disclosures certificates and medical fitness to drive certificates that were required from applicants for the grant and renewal of hackney carriage/ private hire driver licences.

The main proposals were:-

- CRB certificates would become due for renewal at the point of application for a grant or renewal of a driver's licence. Existing driver licence holders in possession of an appropriate Enhanced CRB Disclosure Certificate that was less than six months old would not be required to produce a further CRB certificate at the point of renewal. Drivers in such a situation would instead be required to produce a certificate at the time when they next renew their licence.
- Requirements regarding medical certification should be brought into line with the Driver and Vehicle Licensing Agency (DVLA) requirements in relation to Public Carriage Vehicles (PCV) and heavy Goods Vehicles (HGV).

Medical certification of fitness to drive would be required at the point of application for the grant of a hackney carriage/ private hire driver's licence. The medical certification would not ordinarily become due for renewal until the driver reached the age of 45

(situations could require an additional medical before such time, for example if the driver notified the Council that they had been diagnosed with a particular medication condition). Medical certification would then be required every five years at the point of renewal of the licence, until the driver reached the age of 65 whereupon certification would be required annually.

Resolved:- (1) That the proposed procedure for obtaining CRB Enhanced Disclosure Certificates, as now submitted, be approved.

(2) That the proposed procedure for obtaining medical certification of fitness to drive, as now submitted, be approved.

Q19. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

Q20. HACKNEY CARRIAGE/ PRIVATE HIRE DRIVERS' LICENCES

The Board considered reports by the Director of Housing and Neighbourhood Services relating to the hackney carriage/ private hire drivers' licences held by Messrs. A.A., M.S., S.K. and A.J.

Messrs. M.S., S.K. and A.J. attended the meeting and were interviewed by the board.

Resolved:- (1) That the licence held by Mr. A.A. continue to be suspended pending the outcome of Court proceedings then further consideration by the Board.

(2) That the licence held by Mr. M.S. continue to be suspended pending the outcome of police investigations then further consideration by the Board.

(3) That Messrs. S.K. and A.J. be warned as to their future conduct.

Q21. HACKNEY CARRIAGE/ PRIVATE HIRE DRIVERS' LICENCES - APPLICATIONS

The Board considered reports by the Director of Housing and

Neighbourhood Services relating to applications for the grant of Hackney Carriage/ Private Hire Drivers' Licences from Messrs. K.I., M.I., A.A.K. and G.C.

Messrs. K.I., M.I., A.A.K. and G.C. attended the meeting and were interviewed by the Board

Resolved:- (1) That Mr. K.I. be granted a licence for a period of 12 months subject to the satisfactory completion of the medical.

(2) That the applications from Messrs. M.I. and A.A.K. be refused.

(3) That Mr. G.C. be granted a licence for a period of three years subject to the satisfactory completion of the Driving Standards Agency test and medical.

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