

**BRECKLAND COUNCIL**

**At a Meeting of the**

**LICENSING HEARING PANEL**

**Held on Friday, 3 February 2017 at 10.00 am in  
The Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mrs L.H. Monument (Chairman) Mrs J. Hollis  
Mr K. Martin

**Also Present**

Mr K.S. Gilbert

**In Attendance**

Tiffany Bentley - Licensing Officer  
Teresa Smith - Democratic Services Team Leader  
David Lowens - Solicitor, NPLAW

**Action By**

**1/17 APOLOGIES**

None.

**2/17 DECLARATION OF INTEREST**

None.

**3/17 PROCEDURES**

Noted.

**4/17 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100(A) 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 disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

**5/17 APPLICATION TO RENEW HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE**

The Licence Holder was invited into the room, along with his Manager. The Chairman introduced the Panel Members and Officers in attendance and explained the procedures.

The Licensing Officer presented the report. The Licence holder had applied to renew his licence however a conviction was shown

Action By

on the enhanced certificate which the Licensing Team had not been informed of.

The Licence Holder was given the opportunity to put his case forward and explained he was in receipt of benefits and aware that he could work up to 19 hours per week. He had been informed that the hours worked only counted when customers were in the car. However, the Benefits Agency had since told him it included sitting on the rank and so therefore he admitted he had worked more hours than he was entitled to.

This meant he was in receipt of benefits which he was not entitled to claim and resulted in an overpayment of benefits. He was not aware that this was a conviction which had been made under court proceedings; and therefore did not inform the Licensing Team.

The Licence Holder's Manager added that as the owner of the company he should have been aware that the Licensing team should be informed of any convictions, and as a result is working more closely with the Licensing Team.

The Licence Holder completed the application form with an Officer from the Licensing Team. He said 'same as last time's application, nothing new within last 3 years' should be added to the application. In addition, he did not inform the Licensing Team of 3 Penalty points that had been issued in May 2016.

The Licence Holder's Manager informed the Panel that if there was to be a suspension he would lose a contract which would result in the Licence Holder losing his job.

The Licence Holder with his Manager, and the Licensing Officer left the room whilst the Panel made its determination. They were then invited back to hear the decision.

The Chairman advised the Licence Holder that the Panel had considered the circumstances and request that further evidence of contracts were provided to the panel so they could be satisfied the contracts were binding. It was:

**RESOLVED** that the Panel had received new information and therefore adjourned the hearing until a future date to be advised.

**6/17 APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE**

The Licence Holder was invited into the room. The Chairman introduced the Panel Members and Officers in attendance and explained the procedures.

The Licensing Officer presented the report. The Licence holder had applied for a new application and checks of the application process had been completed satisfactorily with the exception of 6

**Action By**

penalty points on the licence.

The Applicant explained the offences one of which was due to exceeding the speed limit whilst on return from a job at a previous company. The second was as a result of driving on a road unaware of, and was not aware that she was driving slightly above the speed limit. The Applicant had previously held a licence with another Local Authority for a period of 10 years.

The Applicant and the Licensing Officer left the room whilst the Panel made its determination. They were then invited back to hear the decision.

It was **RESOLVED** that the Panel agreed to grant the licence for the standard period.

The meeting closed at 11.45 am

CHAIRMAN