
BRECKLAND COUNCIL

At a Meeting of the

LICENSING HEARING PANEL

**Held on Friday, 12 April 2019 at 10.00 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor M. Chapman-Allen Mr K.S. Gilbert
(Chairman) Mr F.J. Sharpe (Substitute Member)
Mr W. R. J. Richmond

In Attendance

Sarah Wolstenholme-Smy - Legal Services Manager (Deputy Monitoring Officer BDC)
Tiffany Bentley - Licensing Officer
Joel Pailes - Graduate Trainee
Julie Britton - Democratic Services Officer
Ruth Tudge - Democratic Services Officer

1/19 APOLOGIES

None.

2/19 DECLARATION OF INTEREST

None.

3/19 PROCEDURES

Following introductions the meeting commenced. The procedures were explained to the Licence Holder. The substitute member, Councillor Sharpe remained in the room to observe and did not take part in the hearing.

4/19 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A to the Act.

**5/19 CONSIDERATION OF RENEWAL OF HACKNEY CARRIAGE /
PRIVATE HIRE DRIVERS LICENCE**

The Licensing Panel heard the applicant in accordance with the Council's agreed procedure.

The Hearing took place in the presence of the Licence Holder, a Licensing Officer, Legal Services Manager and a graduate working for the Council's Legal Team.

**Action
By**

The Licensing Officer presented the report which was to determine an application for the renewal of a Hackney Carriage/Private Hire drivers licence. Members were being asked to consider the medical information (highlighted prior to the report) to determine the application.

The Licence Holder was given the opportunity to put his case forward and he explained that he had been a Licence Holder since approximately 2010/11. The Licence Holder then provided Members with the details of his medical condition and how it was being managed. The medical information contained in the report had confirmed that there was no reason to suggest that the Licence Holder could not drive and the Licence Holder confirmed that the medical condition had not affected his driving capability.

The Chairman asked Members if they had any questions. Councillor Gilbert and the Chairman questioned the Licence Holder regarding a couple of comments in the medical report to which the Licence Holder responded with full explanation.

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

RESOLVED to grant the renewal based on the advice and guidance of the medical professionals and subject to the conditions imposed in the report.

The Chairman explained to the Licence Holder that it was important that if he felt unwell or suffered any medical issues he reported this to his doctor immediately to ensure he was a fit and proper person to be driving.

The Legal Officer stated that:

- The Licence Holder must have had no hypoglycaemic attacks requiring assistance whilst driving within the previous 12 months.
- The Licence Holder must regularly monitor their condition by checking their blood glucose levels at least twice daily and at times relevant to driving. The advice was to use a memory chip meter for such monitoring.
- The Licence Holder must arrange to be examined every 12 months by a diabetes specialist. At the examination the specialist would require sight of their blood glucose records for the last 3 months.
- The Licence Holder must have no other condition which would render them a danger when driving licensed vehicles.
- The Licence Holder would be required to sign an undertaking to comply with the directions of doctor(s) treating the diabetes and to report immediately to the Licensing Authority any significant change in their condition.