

Decision Schedule



Taxi Licensing Panel

TO ALL MEMBERS OF NEWPORT CITY COUNCIL

Decision Schedule published on 2nd November 2021

The Taxi Licensing Panel took the following decisions on 2nd November 2021, which became effective immediately.

Councillors: Kate Thomas (Chair), David Fouweather, Tom Suller

Part 2

Exempt or Confidential Items

The following items contain confidential or exempt information as defined in Schedule 12A of the Local Government Act 1972. Reports and background papers relating to these decisions are therefore not for publication and are subject to the provisions of the Act as they relate to circulation to the press and public.

LIC PAN 11/21

Private Hire / Hackney Carriage Licenses

Decision

Driver AA

The Licensing Panel carefully considered the Officers report and the applicants submission to the Licensing Panel and the Panel concluded that the applicant was not a "Fit in Proper Person". As such the application for a Private Hire Driver License with Newport City Council was refused. The reason for refusal are as follows:

The Licensing Panel Carefully considered its Licensing Policy specifically Appendix A of the "Taxi" Policy relating to the relevance of previous convictions, Section 10 of the Appendix A stipulates:

10. Sexual and indecency offences

As licensed drivers often carry unaccompanied and vulnerable passengers, the Council will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. All sexual and indecency offences will be considered as serious. Applicants with convictions for sexual or indecency offences that involve a third party will have their licence refused by the Licensing Manager.

Such offences include:

· Rape, · Assault by penetration, · Offences involving children or vulnerable adults · Trafficking, sexual abuse against children and / or vulnerable adults and preparatory offences (as defined within the Sexual Offences Act 2003), · Making or distributing obscene material, · Possession of indecent photographs depicting child pornography. · Sexual assault, · Indecent assault, · Exploitation of prostitution, · Soliciting (kerb crawling) · Indecent exposure , · Any similar offences (including attempted or conspiracy to commit) offences which replace the above In regard to existing Hackney or Private Hire drivers, their

Council issued licence will normally be revoked by the Licencing Manager and the above standard would apply.

The committee considered the mitigation provided by the applicant that the offence took place when he was 15 years old but also noted that applicant failed to notify the Licensing Authority at the time of application.

The Committee considered Section 13 of its "Taxi" policy that stipulates:

The overriding consideration for the Licensing Authority is to ensure its statutory duty to protect the public is met. The licensing regime is intended, among other things, to ensure so far as is possible, that those licensed to drive vehicles are suitable persons to do so. Having considered and applied the appropriate guidelines, the following question should be asked: "...Would you allow your daughter or son, granddaughter or grandson, spouse, mother or father, or any other person you care for or any vulnerable person you know, to get into a vehicle with this person alone?..."

The committee concluded that due to the very serious nature of the offence despite occurring a number of years ago they concluded that they would not be satisfied that the applicant was a Fit and Proper person to hold a Private Hire Drivers Licence as such refused the application.

Driver AU

The Licensing Committee were informed by Licensing Officers that the driver was unable to attend the committee but requested the hearing to take place next month, the Committee determined to adjourn the hearing.

Driver KM

The Licensing Panel concluded that Applicant would not be granted a Taxi Licence with Newport City Council. The Panel referred to Section 8.6 of Council's Policy and concluded that the Applicant did not meet the fit and proper test to hold a Licence with NCC due to his previous caution / conduct.

Consultation

Not applicable.

Implemented by: Head of Law & Regulation

Implementation Timetable: Immediate
