

Licensing Sub-Committee 2pm on 20 April 2017

Case No1/2017

Decision: The Licensing Sub-Committee was asked to determine whether this respondent was a fit and proper person to hold a Hackney Carriage/Private Hire Dual Driver's Licence following an allegation of obstructing an authorised officer (the background being not providing details of an allegation after a fare refusal).

The Sub-Committee noted the numerous letters from the Licensing Officer to the Respondent, with clear details of the allegation that required answering. The Licensing Officer made it perfectly clear that this was not an interview under caution. The Licensing Officer also made it clear that a failure to respond would be treated as an obstruction of an authorised officer. It was clear that the Respondent received the communications as he replied to them promptly. However, the responses failed to provide the information required.

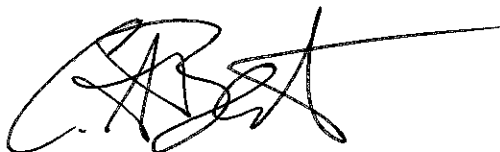
The Respondent explained that all he was trying to achieve was to be given a copy of the written complaint against him, that he had not understood and the Council had not advised him that the complaint had been made verbally and so there was no written complaint to be supplied.

The Licensing Officer stated that this fact had been explained in his initial telephone conversation with the Respondent, but the Respondent denied this. The Sub-Committee did not feel that they needed to make a determination on this specific point as they considered the written communication to have been perfectly clear.

The Licensing Sub-Committee were not persuaded by the explanation provided by the Respondent. The Sub-Committee considered that the correspondence provided by the Respondent was cynical and amounted to a deliberate and flagrant obstruction of the authorised officer.

The Licensing Sub-Committee decided to suspend the Respondent's driver's licence for a period of 1 month starting from the 12 May 2017 and running to 12 June 2017. This is to allow 21 days from the date of this decision on 20 April 2017 should the Respondent wish to appeal.

The respondent has a right of appeal against this decision by way of complaint to the Magistrates Court within 21 days of the date of notification of this decision.



C. CAMERON BEART

CHAIRMAN

20TH APRIL 2017