

## GENERAL LICENSING COMMITTEE

A meeting of General Licensing Committee was held on Tuesday 26 November 2024.

**Present:** Cllr Eileen Johnson (Chair), Cllr Mick Moore (Vice-Chair), Cllr Marc Besford, Cllr Diane Clarke OBE, Cllr Robert Cook, Cllr Jason French, Cllr Clare Besford, Cllr Elsi Hampton, Cllr Mrs Ann McCoy, Cllr Andrew Sherris, Cllr Hugo Stratton, Cllr Marilyn Surtees and Cllr Lynn Hall.

**Officers:** Natalie Hodgson, Rebecca Jackson, Sarah Whaley, Elliott Beevers, Leanne Maloney-Kelly and Kirsty Wannop.

**Also in attendance:** Applicant - 086879, Driver 111558 and Witness

**Apologies:** Cllr Hilary Vickers.

### **GLC/30/24 Minutes**

Consideration was given to the General Licensing minutes from the meeting which was held on the 16 July 2024 for approval and signature.

RESOLVED that the minutes be approved and signed as a correct record by the Chair.

### **GLC/31/24 Evacuation Procedure**

The evacuation procedure was noted.

### **GLC/32/24 Declarations of Interest**

There were no declarations of interest.

### **GLC/33/24 Exclusion of the Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

### **GLC/34/24 Private Hire Driver Application – 086879**

Members were asked to consider and determine an application for a private hire driver licence, from an applicant who had previously been refused by this authority in 2007, 2008 and 2009. Applicant - 086879 did have a licence granted in April 2010 with this authority, but this was then revoked in 2012. The driver also had relevant convictions which meant he currently did not meet current Transport Policy.

Applicant - 086879 attended the meeting and was given the opportunity to make representation.

Committee papers and reports had been provided to all relevant parties prior to the meeting.

The report detailed the following:

- A copy of the Applicant – 086879's application which contained a DVLA check code, showing two live endorsements for 'exceeding the speed limit on a public road' totalling 6 live DVLA points.
- A copy of a summary transcript of an interview with Applicant – 086879 and Licensing Officers.

The Chair introduced everyone present and explained the procedure to be followed during the hearing.

The Committee understood that the matter before them was to determine an application for a private hire driver licence, from an applicant who had previously been refused a licence by this authority in 2007, 2008 and 2009, and who had a licence granted in April 2010, that was subsequently revoked in 2012, as detailed in the Committee report and appendices.

The Committee heard that an application for a private hire driver licence had been received from Applicant – 086879, who had two live DVLA licence endorsements for exceeding the speed limit on a public road, totalling 6 live DVLA penalty points.

The Committee were told that an enhanced Disclosure & Barring Service (DBS) certificate displayed a conviction of 'driving a motor vehicle with excess alcohol' on 19th October 2014; Applicant – 086879 was convicted of the offence on 3rd November 2014, and was disqualified from driving for 36 months (reduced by 9 months as a course was completed), fined £110 and made to pay a victim surcharge of £20.

The Committee heard that Applicant – 086879 was interviewed in relation to his application on Monday 28th October 2024, when Applicant – 086879 was asked about his conviction for the offence of driving a motor vehicle with excess alcohol in October 2014, which he had declared within his application. The Committee were told that Applicant – 086879 admitted that he was speeding as he was overtaking another vehicle that had overtaken his vehicle.

The Committee were told that Applicant – 086879 was also asked during the interview about his conviction for the offence of driving a motor vehicle with excess alcohol in December 2012; he said he had been drinking at a friend's house and then drove his vehicle.

The Committee were advised that Applicant – 086879 told officers during the interview that he did not have an alcohol addiction and was just careless; since these offences Applicant – 086879 no longer associated with the same crowd of people and was now a reformed person.

The Committee heard that Applicant – 086879 was asked why he did not declare any of his licence refusals or his licence previously held with Berick-upon-Tweed Council on his application form; he said he did not realise he had to declare his refusals and must not have read the application properly.

The Committee were told that during Applicant – 086879's appointments with licensing administration officers, it was noted that he seemed disengaged and was watching his phone during the appointment; when asked about this Applicant – 086879 said that he could not remember this but thought that his actions may have been misinterpreted.

The Committee noted that Applicant – 086879 was previously refused a licence by the Licensing Committee in November 2007, September 2008 and April 2009; none of which were declared on Applicant – 086879's application form.

The Committee further noted that Applicant – 086879 was granted a licence by the Licensing Committee on 27th April 2010, with a warning as to his future conduct, and subsequently given a further warning by the Committee on 21st December 2010, as he had received a speeding conviction within the first 6 months of being granted his licence.

The Committee heard that on 20th January 2012, licensing officers were advised that Applicant – 086879 had been convicted of driving a motor vehicle with excess alcohol for which he was fined £250, ordered to pay costs of £85, pay a victim surcharge of £15 and disqualified from driving for 14 months, and had also been convicted of possessing a controlled drug Class B (cannabis/cannabis resin) for which he was fined £25. The Committee noted that on 21st February 2012, the Committee revoked Applicant – 086879's licence.

The Committee were told that Applicant – 086879 was refused a licence by Wolverhampton Council due to his previous convictions, however he did not declare this on his application form.

The Committee were also told that Applicant – 086879 declared on his application form that he had held a PCV licence for 14 years.

The Committee and Applicant – 086879 were given an opportunity to ask questions of the officer.

Applicant – 086879 told the Committee that he had been driving a large PSV vehicle for ten years, and that despite previously being immature, careless and reckless, he was now a changed person with responsibilities including a mortgage and children, and that he was honest.

The Committee asked questions of Applicant – 086879. In response to questioning about his speeding offences in 2022 and 2023, Applicant – 086879 told the Committee that he did not see the speed van, and was not driving dangerously or carelessly, it just happened. The Committee noted that Applicant – 086879 stated that he was caught off-guard and was not paying attention whilst transporting a child with a passenger assistant, and that he would have slowed down if he had seen the speed camera.

In response to a query from the Committee about Applicant – 086879 PSV licence, Mrs Maloney-Kelly explained that Applicant – 086879 was permitted to drive mini-busses and could work for a private hire operator, but that he did not hold a licence with a local authority.

When asked by the Committee if he drank alcohol, Applicant – 086879 confirmed that he did not, and had not for approximately eight years.

The Committee was given an opportunity to ask questions Applicant – 086879, with Applicant – 086879 speaking last.

Members had regard to the Committee papers, which had been circulated prior to the hearing and presented to them, in addition to the oral submissions made by the officers and Applicant – 086879, in response to the Committee’s questions.

Having carefully considered the written documentation before them and in reaching their decision, the members had regard to the provisions of the Local Government (Miscellaneous Provisions) Act 1976. The Committee also had regard to the Council’s Private Hire and Hackney Carriage Licensing Policy 2021 – 2026 (“the Policy”). The Committee noted that under section 51 Local Government (Miscellaneous Provisions) Act 1976, the Committee shall not grant a driver’s licence unless they are satisfied that the applicant is a fit and proper person. When determining this matter, the Committee considered this application on its merits.

The Committee had regard to Appendix E(c) of the Policy; “A licence will normally be refused if an applicant has more than one conviction for driving under the influence of alcohol”.

The Committee members were not satisfied that they would allow people for whom they care to enter a vehicle with Applicant – 086879 due to his previous convictions for the offence of driving a motor vehicle with excess alcohol in 2012 and 2014. The Committee did not feel that there were any exceptional reasons before them to depart from the Policy. On the contrary, the Committee felt that Applicant – 086879’s two speeding offences in 2022 and 2023, and his failure to declare information within his application only affirmed their concerns that Applicant – 086879 was not a fit and proper person.

The Committee were particularly concerned that rather than comprehending that he should not break the speed limit, Applicant – 086879 admitted to the Committee that he was not paying attention whilst transporting a child, and that he would have slowed down had he seen the speed camera. This was not the attitude nor the manner of driving that the Committee expect of licenced drivers, nor applicants wishing to become licenced.

Ultimately, the Committee did not believe that Applicant – 086879 was a fit and proper person to hold a private hire vehicle drivers’ licence. The Committee were unanimously satisfied that Applicant – 086879’s application should therefore be refused.

RESOLVED that Applicant – 086879’s application for a Combined Hackney Carriage and Private Hire Driver’s licence be refused for the reasons as detailed above.

#### **GLC/35/24 Hackney Carriage Driver – 111558**

Members were asked to consider and determine the continued fitness of licensed Hackney Carriage Driver – 111558 who had received a complaint in relation to conduct towards a female passenger.

Hackney Carriage Driver - 11158 attended the meeting and was given the opportunity to make representation.

A witness also attended the meeting and was given the opportunity to make representation.

Committee papers and reports had been provided to all relevant parties prior to the meeting.

The report detailed the following:

- A copy of a statement from Hackney Carriage Driver – 111558.
- A screen shot of a Facebook messenger conversation between Hackney Carriage Driver – 111558 and the complainant's brother.
- A copy of a Delegated Decision and suspension letter relating to Hackney Carriage Driver – 111558.
- An interview transcript, between Hackney Carriage Driver – 111558 and Licensing Officers.
- A copy of Facebook print outs provided by Hackney Carriage Driver – 111558 during interview, from his taxi Facebook page of reviews from customers and examples of times where he had looked out for his customers.

The Committee heard that on Monday 16th September 2024, the Licensing Department had received a complaint from Ms J S, the mother of Miss S, a vulnerable young adult, who alleged her daughter had been groomed by licensed Hackney Carriage Driver – 111558. Miss S's mother alleged that Hackney Carriage Driver – 111558 had inappropriate conversations of a sexual nature with her daughter, in his vehicle, and that he had also exchanged messages with her via Facebook messenger.

The Committee were told that the complainant confirmed that her daughter, Miss S had additional needs and was vulnerable, due to her having autism and comorbid anxiety disorder. The complainant stated that Hackney Carriage Driver – 111558 was aware of Miss S's vulnerability as he had transported her for the previous two years, most of which was chaperoned by the complainant, but more recently, Miss S had taken journeys with Hackney Carriage Driver – 111558 alone.

The Committee noted that witness statements had been taken from Miss S's mother and her daughter, Miss S, on 17th September 2024. The Committee heard that the complainant had contacted police in relation to this matter, however due to a lack of evidence the police would not be able to investigate further.

The Committee heard that Miss S had told her mother that once she began to travel alone with licensed Hackney Carriage Driver, he asked why she did not sit in the front with him; Miss S had added that she felt uncomfortable doing this but struggled to say no due to her additional needs, and did sit in the front.

The Committee heard that Miss S had stated that Hackney Carriage Driver – 111558 asked if she used Facebook, requested her username, and sent a friend request to her whilst driving; she felt obliged to accept as he was with her when he sent it.

The Committee heard that Miss S had said that at the end of July 2024, Hackney Carriage Driver – 111558 sent a message via Facebook asking how her father's wedding had been and whether she missed him; Miss S stated that she did not respond to this message as she felt that it was inappropriate.

The Committee heard that Miss S had stated that on Wednesday 11th September 2024, Hackney Carriage Driver – 111558 collected her from the ARC, and during the journey a conversation took place where it was alleged that Hackney Carriage Driver – 111558 stated to Miss S that they should go on holiday together to Benidorm; that his friends had been to Benidorm on a stag do and had been to see a live sex show. The Committee noted that Miss S had stated that she had attempted to divert the conversation away from this subject as she had felt uncomfortable.

The Committee were told that Miss S had alleged that Hackney Carriage Driver – 111558 suggested going to Newcastle for drinks and talked about running away together for a weekend. The Committee heard that it was alleged that Hackney Carriage Driver – 111558 had stated that they would not tell anyone and that the police would be looking for them. The Committee heard that it was alleged that Hackney Carriage Driver – 111558 had said to Miss S that they could get a room with separate beds, his only condition being that she should wear pyjamas that would show her cleavage.

The Committee were told that the complainant had provided a screen shot of a Facebook messenger conversation between Hackney Carriage Driver – 111558 and her brother about the conversations, where Hackney Carriage Driver – 111558 had apologised and admitted that he was “out of order”.

The Committee heard that Hackney Carriage Driver – 111558's hackney carriage licence was suspended on 20th September 2024 due to the serious nature of the allegations against Hackney Carriage Driver – 111558.

The Committee were told that when interviewed, Hackney Carriage Driver – 111558 denied inappropriate conversations with Miss S, who he knew had additional needs.

The Committee heard that Hackney Carriage Driver – 111558 allowed officers to view his mobile telephone, which showed a message to Miss S, on 22nd July 2024, but the content had been deleted. The Committee heard that Hackney Carriage Driver – 111558's explanation for this was initially that he had sent it to the wrong person, but later stated that he always deleted chat to save memory on his mobile phone. The Committee heard that in relation to whether he had messaged Miss S about her father's wedding and asked if she had missed him, Hackney Carriage Driver – 111558 had responded “possibly”, but that this was “for banter and a daft laugh”. The Committee were told that Hackney Carriage Driver – 111558 said in interview that with hindsight he had probably broken the customer taxi driver relationship protocol but denied that anything untoward had occurred.

The Committee were advised that when Hackney Carriage Driver – 111558 was questioned about the conversation with Miss S about going away together, he

admitted that he had suggested a group trip; Hackney Carriage Driver – 111558 stated that this was never going to happen and that this was just as a joke and banter.

The Committee were told that Hackney Carriage Driver – 111558 denied allegations that he had suggested going away with Miss S and not telling anyone, getting a room and the comments to her about her nightwear showing her cleavage.

The Committee were told that in relation to his message of apology to Miss S's uncle, Hackney Carriage Driver – 111558 stated that he was scared, and that he apologised for suggesting a group holiday or a group trip to Newcastle.

The Committee heard that another licenced driver had confidentially claimed that during conversations with Hackney Carriage Driver – 111558, Hackney Carriage Driver – 111558 had claimed that he had “crossed the line” with customers in their early twenties, and admitted inappropriate conversations and “dalliances” with customers. This licenced driver requested to remain anonymous but was confirmed by officers as a licenced driver.

The Committee noted that their agenda and background papers contained positive customer reviews from Facebook and examples of instances where he had demonstrated care for his customers. The Committee further noted that Hackney Carriage Driver – 111558 had also written a letter to the Committee himself, along with thirteen positive character references for their consideration.

The Committee heard that unfortunately, due to her additional needs, Miss S was not able to attend the Committee hearing, but had provided a statement setting out how this matter had impacted upon her life. The complainant Miss S's mother attended the hearing and gave evidence to the Committee.

Miss S's mother gave a detailed outline of her complaint to the Committee, consistent with the information within the hearing agenda and background papers. Miss S's mother told the Committee that on Wednesday 11th September 2024, Hackney Carriage Driver – 111558 had transported Miss S from college to Miss S's mother's friend's house, and that Miss S appeared to her to be quieter than usual that day following the journey. The Committee heard that later that day, Miss S became very upset on the telephone to her brother, and asked if he would transport her home instead of Hackney Carriage Driver – 111558 the following day.

Miss S's mother explained to the Committee that Miss S explained to her family how the conversation with Hackney Carriage Driver – 111558 that day had made her feel uncomfortable, particularly his suggestion that they go away on holiday together, and that they would have a room with twin beds as long as Miss S wore pyjamas that showed her cleavage. Miss S's mother told the Committee that Miss S had said that she had tried to change the subject but Hackney Carriage Driver – 111558 kept bringing it back to this, talking about running away to Newcastle together, drinking alcohol and that the police would not know where Miss S was.

Miss S's mother told the Committee that Miss S had explained to her that this made Miss S want to leave Hackney Carriage Driver – 111558's car, as she felt frightened when he told her that the police would be looking for them. The Committee heard from Miss S's mother that Miss S had told her that Hackney Carriage Driver – 111558 had discussed a stag do in Benidorm and told her about a sex show that occurred there.

Miss S's mother explained to the Committee that it was apparent when you met Miss S that this kind of conversation would be totally inappropriate, due to her vulnerabilities, and that she had never been exposed to this kind of "banter".

Miss S's mother explained to the Committee that due to Miss S's vulnerabilities she struggled emotionally during times of transition, for example returning to college after the holidays, and that Hackney Carriage Driver – 111558 had seen her at her worst.

Miss S's mother told the Committee that Miss S did not mix with others outside of her close family, and even struggled to be around her extended family as they could be too loud. Miss S's mother described Miss S as different to stereotypical eighteen year old girls due to her being diagnosed as autistic.

The Committee heard from Miss S's mother that she had been chaperoning Miss S during journeys with Hackney Carriage Driver – 111558 for approximately two years, but then did not for the last five weeks of him transporting Miss S. Miss S's mother confirmed that Hackney Carriage Driver – 111558 had never asked her or Miss S to sit in the front seat of his vehicle during the time that she was chaperoning Miss S; who said this only occurred once she began travelling alone with Hackney Carriage Driver – 111558.

Miss S's mother explained to the Committee that after Miss S had told her about this matter, Miss S's mother had deleted and blocked Hackney Carriage Driver – 111558 from her Facebook account and Miss S's, which was Miss S's mothers' usual method of communication with him to arrange transport for Miss S.

Miss S's mother advised the Committee that she was dumbfounded by Miss S's admissions, and explained that this was an awkward situation for her family, as her father and Hackney Carriage Driver – 111558's father were childhood friends, and she knew that older people relied upon Hackney Carriage Driver – 111558 for transport. Miss S's mother told the Committee that she was awake all night thinking about this, and did not complain about this matter lightly. Miss S's mother stated that during conversations with Miss S, Hackney Carriage Driver – 111558 had made reference to Miss S not telling her mother about their conversation as she would have him sacked. Miss S's mother advised the Committee that another family member had spoken to Miss S about the allegations she had made about Hackney Carriage Driver – 111558; Miss S then made reference to messages that he had sent her via Facebook Messenger. Miss S's mother told the Committee that she checked Miss S's mobile telephone, however because she had deleted and blocked the account these messages were not there; the police had advised her that they could not take matters any further as the content of these messages were not available.

In relation to Hackney Carriage Driver – 111558's message of apology to Miss S's uncle, Miss S's mother explained to the Committee that she interpreted this as an admission that Hackney Carriage Driver – 111558 knew what he did was wrong, which upset Miss S more. Miss S's mother told the Committee that what upset her the most was that she and Miss S put their trust in Hackney Carriage Driver – 111558, and thought that Miss S was safe with him. The Committee heard from Miss S's mother that this matter had set Miss S back; she was petrified that she would see Hackney Carriage Driver – 111558 in the street and could not leave the house alone as a result.



The Committee and Hackney Carriage Driver – 111558 were given an opportunity to ask questions of Miss S's mother. Hackney Carriage Driver – 111558 asked if Miss S had ever made false allegations against anyone in the past; Miss S's mother confirmed that she had not.

Hackney Carriage Driver – 111558 described to the Committee how he was first contacted by Miss S's mother about transporting Miss S to and from college, and that he did this for several years; in his view he built up a very good friendship with Miss S's mother, who even bought his son gifts at Christmas. Hackney Carriage Driver – 111558 told the Committee that he agreed with everything Miss S's mother had said in relation to his relationship with the family; he felt proud that Miss S got to a point where she felt comfortable traveling alone with him. Hackney Carriage Driver – 111558 described his longstanding relationship with Miss S's mothers' father and his family, who he described as a loud, outgoing, opinionated family that you would not win an argument with, who despite this, he got on very well with.

Hackney Carriage Driver – 111558 denied asking Miss S to sit in the front of his vehicle and told the Committee that she did this of her own volition.

In response to the Committee's questioning, Hackney Carriage Driver – 111558 explained that, in his view, his conversations with Miss S were simply "friendly banter". Hackney Carriage Driver – 111558 told the Committee that Miss S had told him that she wanted to get drunk, and that he admitted suggesting that they go out together and get drunk together with their families. Hackney Carriage Driver – 111558 explained to the Committee that in reality this was never going to happen, as he had a partner and baby at home, and reiterated that this was simply "friendly banter".

Hackney Carriage Driver – 111558 described to the Committee how he had discussed a trip to Benidorm with Miss S and admitted that he did overstep the mark when describing the things that occurred on the stag do, but that after this they discussed the television show "24". Hackney Carriage Driver – 111558 told the Committee that, from his perspective, Miss S was fine when he dropped her off at her mothers friend's house, and described his reaction to the subsequent complaint from Miss S's mother as "gobsmacked".

In response to questioning about his message of apology to Miss S's uncle. Hackney Carriage Driver – 111558 told the Committee that he thought that Miss S's uncle was offended by his reference to them all going out drinking together, and that he did not want to "get on the wrong side" of her uncle. Hackney Carriage Driver – 111558 acknowledged, in response to further questioning that a suggestion of going out drinking with people is unlikely to cause offence.

Hackney Carriage Driver – 111558 was questioned about the allegation that he had referred to getting a hotel room with Miss S and her wearing pyjamas that would show her cleavage; Hackney Carriage Driver – 111558 denied that this part of the conversation took place.

In response to questioning from the Committee about the appropriateness of "banter" with a vulnerable passenger, Hackney Carriage Driver – 111558 stated that he knew that Miss S was a very emotional person, who would regularly enter his car in tears. Hackney Carriage Driver – 111558 told the Committee that he tried to "have a laugh" with Miss S, to "bring her out of her shell". Hackney Carriage Driver – 111558 stated

that he had worked hard with Miss S to gain her trust, and that he tried to lift her mood and make her feel better about herself. Hackney Carriage Driver – 111558 again denied any inappropriate comments, and said that he just wanted to have a laugh with Miss S.

When asked by the Committee about Miss S sitting in the front of his vehicle, when it was generally accepted that lone females should not travel in the front of licenced vehicles, Hackney Carriage Driver – 111558 denied ever encouraging any passengers to sit in the front, including Miss S. Hackney Carriage Driver – 111558 expressed his view to the Committee that his passengers could sit wherever they wished, and that a lot of his passengers liked to sit in the front of his vehicle as they liked to chat to him and feel comfortable in doing so.

In response to the Committee's questioning about why he felt that Miss S may have made such allegations, Hackney Carriage Driver – 111558 said that he thought that this was perhaps for attention, but he did not know. Hackney Carriage Driver – 111558 described the impact that this matter had had on him; he had lost weight and had been impacted financially by his licence being suspended.

When asked by the Committee about the information received from an anonymous driver that he had admitted being inappropriate with young female passengers Hackney Carriage Driver – 111558 explained that he believed that this was an attempt to sabotage his business as other drivers wanted to gain his customers, as he was a very popular taxi driver. Hackney Carriage Driver – 111558 denied having sex with passengers.

In response to the final question about why Miss S would invent the alleged conversations, Hackney Carriage Driver – 111558 told the Committee that the allegations against him were ludicrous, and denied ever saying anything inappropriate to Miss S.

Following the Committee's questioning of Hackney Carriage Driver – 111558, Hackney Carriage Driver – 111558 was given the opportunity to speak last. In summing up, Hackney Carriage Driver – 111558 told the Committee that he had 1800 followers on his Facebook page, and that his phone never stopped ringing. Hackney Carriage Driver – 111558 told the Committee that his customers included former police officers and disabled people, who relied upon him as they did not trust anyone else. Hackney Carriage Driver – 111558 described to the Committee how he was very rarely late and went above and beyond what would be expected of a taxi driver for the benefit of his customers. Hackney Carriage Driver – 111558 pointed the Committee to the letters provided in support of him regaining his licence, his lack of previous complaints, and described himself as reliable, honest and trustworthy.

The Committee noted that between January 2013 and April 2024, four matters had come to the attention of the licensing department; a complaint of plying for hire, concerns over where drivers could pick up in Norton, illegal ranking on Norton High Street, and a complaint of alleged racism via a Facebook post regarding another driver. The Committee heard that written warnings/oral advice had been issued in relation to these four matters.

Members had regard to the Committee papers, which had been circulated prior to the hearing and presented to them, in addition to the oral submissions made by the

licensing officer, the witness Miss S's mother, and Hackney Carriage Driver – 111558, in response to the Committee's questions.

Having carefully considered the written documentation before them and in reaching their decision, the members had regard to the provisions of the Local Government (Miscellaneous Provisions) Act 1976. The Committee also had regard to the Council's Private Hire and Hackney Carriage Licensing Policy 2021 – 2026 ("the Policy"). The Committee noted that the relevant legislative provision in this case is under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976. This allows the Committee to suspend or revoke licences for "any other reasonable cause".

When determining this matter, the Committee considered this matter on its merits. The Committee felt that it would have been beneficial if Miss S, had been able to give first hand evidence to the Committee, but understood that she was unable to do so due to her vulnerabilities.

The Committee noted that there was no evidence to support the allegations made by the complainant and her daughter, who described their longstanding friendship between their family and Hackney Carriage Driver – 111558's family, which was clearly different to a typical driver/customer relationship.

The Committee found Hackney Carriage Driver – 111558 to be credible and convincing in his submissions, and felt that, although some of what he described as his "banter" was inappropriate, the Committee added weight to the large number of positive testimonials provided in support of Hackney Carriage Driver – 111558. The Committee noted that Hackney Carriage Driver – 111558 recognised that he had overstepped the mark in relation to some of his topics of conversation, but felt that this was an isolated matter, and a mistake that Hackney Carriage Driver – 111558 would not make again having been through this investigation, suspension and Committee process.

The Committee members were satisfied that they would allow people for whom they care to enter a vehicle with Hackney Carriage Driver – 111558. Ultimately, the Committee believe that Hackney Carriage Driver – 111558 was a fit and proper person to hold a hackney carriage drivers' licence. The Committee were therefore satisfied that the current suspension should be lifted, and that Hackney Carriage Driver – 111558's licence should be restored. Hackney Carriage Driver – 111558 was therefore authorised to drive hackney carriage vehicles.

**RESOLVED** that Hackney Carriage Driver – 111558's suspension be lifted and his Hackney Carriage Driver's licence be reinstated.