

LICENSING & GENERAL PURPOSES COMMITTEE
TAXI & PRIVATE HIRE LICENSING PANEL
13 June 2017

Minutes of the Taxi & Private Hire Licensing Panel held at the Town Hall, Bexhill-on-Sea on Tuesday 13 June 2017 at 10.30am.

There were present:

Members of the Taxi and Private Hire Licensing Panel

Councillors: Lord Amptill, R.K. Bird and C.J. Saint.

Legal Advisor

Deputy Legal Services Manager, Wealden & Rother Shared Legal Services.

Interested Parties

Hackney Carriage Licensed Driver: TPHLP170613.

Witness: Miss T.

Advisory Officers

Senior Environmental Health Officer, Licensing Officer and Democratic Services Officer.

TLP17/01. APPOINTMENT OF CHAIRMAN

Councillor Saint was duly appointed as Chairman of the Panel for this hearing.

TLP17/02. MINUTES

The Chairman was authorised to sign the minutes of the meeting held on 18 July 2016 as a correct record of the proceedings.

TLP17/03. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded whilst the matter containing exempt information, as prescribed by Part 1 of Schedule 12A of the Local Government Act 1972, as amended and relating to Minute TLP17/04 was under consideration. The report submitted in connection with this item that contained information exempt from publication by virtue of Part 1 of Schedule 12A to the Act shall remain confidential if and so long as, in all the circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Chairman welcomed and introduced all present to the meeting and advised on the remit of the Licensing Panel in determining the matter as detailed in the confidential report of the Executive Director of Business Operations.

The Panel had to determine whether the driver remained a fit and proper person to hold a Dual Drivers' Licence as a result of a number of incidents relating to the conduct of driver TPHLP170613.

The confidential report detailed two separate allegations of overcharging, the use of an unlicensed vehicle, inappropriate use of a rank and general conduct issues for Members' consideration.

Members heard from officers, a witness who provided details of when they were overcharged by TPHLP170613 for a trip and the driver who provided Members with additional information, photographs and a number of character references from customers and business owners in Rye and the surrounding areas.

Members asked a series of questions in relation to the details around the incidents detailed in the report and provided by officers, witnesses and the driver.

The Panel retired to consider the case in private. The Panel took into account all the written evidence provided to them and the verbal statement made by the driver. The Council's legal representative advised the Panel on the matters that should be taken into account in determining this case.

Members gave careful deliberation to all the evidence provided in regards to all of the allegations made. Although Members did not uphold one of the allegations made against the driver, the other allegations were upheld and the Panel decided that driver TPHLP170613 no longer remained a 'fit and proper person' to hold a licence. The Panel took the decision that the behaviour was not that expected of a licensed driver, and warranted the revocation of the licence in this instance.

RESOLVED: That the licence for Dual Driver TPHLP170613 be revoked.

(This matter was considered exempt from publication by virtue of Paragraphs 1, 3 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended).

CHAIRMAN

The meeting closed at 2:10pm

TLP170613.lec