

LICENSING AND GENERAL PURPOSES COMMITTEE - TAXI AND PRIVATE HIRE LICENSING PANEL

6 August 2019

Minutes of the Licensing and General Purposes Committee - Taxi and Private Hire Licensing Panel meeting held at the Committee Room, Town Hall, Bexhill-on-Sea on Tuesday 6 August 2019 at 10.00 am.

Committee Members present: Councillors S.J. Coleman, B.J. Drayson and Mrs S. Hart.

Advisory Officers in attendance: Deputy Legal Services Manager - Wealden and Rother Shared Legal Services, Environmental Health Licensing Officer and Democratic Services Manager.

Interested Parties: Hackney Carriage Licensed Driver TPHLP190806.

TLP19/1 **APPOINTMENT OF CHAIRMAN**

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

TLP19/2 **MINUTES**

The Chairman was authorised to sign the minutes of the last Taxi and Private Hire Licensing Panel held on 27 September 2018 as a correct record of the proceedings.

TLP19/3 **EXCLUSION OF PRESS AND PUBLIC (EXEMPT INFORMATION)**

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 TLP19/04 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.

TLP19/4 **LICENSED DUAL DRIVER TPHLP190806 (PARAGRAPHS 1, 3 AND 7).**

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.

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

The confidential report detailed three separate incidents involving speeding, the first of which had also involved a conviction for failure to give information as to the identity of a driver (MS90) and the latest incident which also included an allegation of unacceptable driving behaviour.

Members heard from the Environmental Health Licensing officer, who provided details of the speeding incidents and the driver who, whilst admitted speeding, provided mitigating reasons for the incidents in their defence. Since the publication of the report a letter of support from an interested party involved in the last incident had been received and was circulated to all present.

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 statements made by the Environmental Health Licensing Officer and the driver. The Council's legal representative advised the Panel on the matters that should be taken into account in determining this case.

The Panel gave careful deliberation to the evidence provided in regards to all of the allegations made. The Panel decided that driver TPHLP190806 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 TPHLP190806 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 11.42 am