

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

5 March 2020

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 Thursday 5 March 2020 at 2.06pm.

Committee Members present: Councillors G.S. Browne, A.S. Mier and R.B. Thomas.

Interested Parties:

Hackney Carriage Licensed Driver: TPHLP200305.

Witness: Mr R.

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

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**TLP19/5 APPOINTMENT OF CHAIRMAN**

Councillor A.S. Mier was duly appointed as Chairman of the Panel for this hearing.

**TLP19/6 MINUTES**

The Chairman was authorised to sign the minutes of the last Taxi and Private Hire Licensing Panel held on 6 August 2019 as a correct record of the proceedings.

**TLP19/7 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 TLP19/8 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.

**TLP19/8 LICENSED DUAL DRIVER TPHLP200305**

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 an incident relating to the individual's conduct.

The confidential report detailed an incident involving failure to stop and accord precedence to a young female child attempting to cross at a pedestrian crossing. Further enquiries through the driver's previous employer provided evidence that suggested the incident was not isolated.

The Panel heard from the Environmental Health Licensing officer, who provided details of the incident and the further enquiries made through the driver's current and previous employers, and from one of the witnesses to the incident detailed in the report. The Panel then heard from the driver who, whilst admitted his role in the incident, provided mitigating reasons for it in their defence, actions taken to address any failings in their driving ability and advised that they had not been made aware of the previous incidents outlined by their previous employer.

The Panel asked a series of questions in relation to the details around the incident 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, the witness 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 TPHLP200305 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 TPHLP200305 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 4.02 pm.