

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

10 December 2020

Minutes of the Licensing and General Purposes Committee - Taxi and Private Hire Licensing Panel meeting held remotely on Thursday 10 December 2020 at 10:00am.

There were present:

Members of the Taxi and Private Hire Licensing Panel

Councillors: S. Coleman, C.A. Madeley and A.S. Mier.

Legal Advisor

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

Interested Parties

Hackney Carriage Licensed Driver: TPHLP201210.

Advisory Officers

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

TLP20/1 **APPOINTMENT OF CHAIRMAN**

(1)

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

TLP20/2 **MINUTES**

(2)

The Chairman was authorised to sign the minutes of the last Taxi and Private Hire Licensing Panel held on 5 March 2020 as a correct record of the proceedings.

TLP20/3 **EXCLUSION OF PRESS AND PUBLIC (EXEMPT INFORMATION)**

(5)

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 TLP20/04 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.

TLP20/4 **REPORT OF THE HEAD OF SERVICE ENVIRONMENTAL SERVICES, LICENSING AND COMMUNITY SAFETY**

(6)

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 Head of Service Environmental Services, Licensing and Community Safety.

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 being caught speeding on four occasions and receiving a total of nine points on his licence.

The confidential report gave details of three speeding offences on 7 March 2019, 26 July 2020 and 18 August 2020 when driver TPHLP201210 had incurred three points on each occasion. The report also provided details of a previous occasion when he had been caught speeding on 30 November 2018 and had made the decision to attend a speed awareness course rather than receive points on his DVLA licence.

The Panel heard from the Environmental Health Licensing Officer, who provided further details of the speeding incidents. The Panel then heard from the driver who apologised for his behaviour which he could not excuse. The driver explained that the speeding offences had occurred whilst travelling between pick-ups where the previous passenger had been running late which in turn had caused him to be late leaving to collect his next passenger. The driver advised that his car was fitted with a speed limiting device which he would now activate to ensure he did not breach speed limits in the future.

The Panel asked a series of questions in relation to the speeding incidents detailed in the report and what measures the driver would put in place to ensure there were no further incidents.

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 regard to all of the allegations made. The Panel decided that driver TPHLP201210 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 TPHLP201210 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 10:49am.