

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

20 April 2021

Minutes of the Licensing and General Purposes Committee - Taxi and Private Hire Licensing Panel meeting held remotely on Tuesday 20 April 2021 at 10:00am.

Committee Members present: Councillors T.J.C. Byrne, P.J. Gray and A.S. Mier.

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

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TLP20/9      **APPOINTMENT OF CHAIRMAN**

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

TLP20/10     **MINUTES**

The Chairman was authorised to sign the Minutes of the last Taxi and Private Hire Licensing Panel held on 23 March 2021 as a correct record of the proceedings.

TLP20/11     **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 TLP20/12 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.

TLP20/12     **LICENSED DUAL DRIVER - CONSIDERATION OF ACTION (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 Head of Service Environmental Services, Licensing and Community Safety.

The Panel had to determine whether the driver was a fit and proper person to continue to hold a Dual Driver's Licence.

The confidential report stated that the driver had been banned from driving by a magistrates' court from 15 September 2020 to 15 March 2021. That was for speeding offences within a three year period leading to 12 or more penalty points on his DVLA driving licence. The driver had held a Dual Driver's Licence with the Council since 18 May 2018, which was due to expire on 17 May 2021. The driver had failed to disclose to the Council in writing details of the endorsements and driving ban within the seven-day timescale as stated in the Council's Hackney Carriage and Private Hire Licensing Handbook.

The Panel heard from the Environmental Health Licensing Assistant, who provided further details of the matters for consideration, including details of the driver's Dual Driver's Licence with Hastings Borough Council, which had been revoked on 8 December 2020. The Panel then heard from the driver who apologised for his failure to notify the Council of his endorsements and ban, explained that he been going through some difficult personal circumstances at the time, but had never been involved in an accident.

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 Assistant 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 TPHLP210420 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 TPHLP210420 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 10:35am.