

**Minutes of a Meeting of the  
WBC Licensing and Control Committee 'A' of  
Worthing Borough Council**

**Gordon Room, Town Hall, Chapel Road, Worthing**

**Monday 29 June 2015**

Councillor Paul High (Chairman)

Joan Bradley  
Keith Bickers  
\*Callum Buxton  
Michael Cloake  
Edward Crouch  
\*Norah Fisher  
Diane Guest

Joshua High  
\*Susan Jelliss  
Mary Lermite  
Sean McDonald  
\*Louise Murphy  
Vic Walker  
Tom Wye

\*Absent

<b>LCCA/15-16/01</b>	<b>Declarations of Interest / Substitute Members</b>
<p>There were no declarations of pecuniary interest</p> <p>Councillor Charles James declared his substitution for Councillor Susan Jelliss</p>	
<b>LCCA/15-16/02</b>	<b>Confirmation of Minutes</b>
<p><b>Resolved:</b> that the minutes of the Licensing and Control Committee A meeting of held on the 17 March 2015 be approved</p>	
<b>LCCA/15-16/03</b>	<b>Public Question Time</b>
<p>There were no questions or statement made by the public</p>	
<b>LCCA/15-16/04</b>	<b>Exclusion of the press and public</b>
<p><b>Resolved:</b> that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting from the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A to the Act indicated against the item.</p>	
<b>LCCA/15-16/05</b>	<b>Local Government (Miscellaneous Provisions) Act 1976 Determination of a Review of a Private Hire Licence</b>
<p>Before the Committee was a report by the Director for Communities, a copy of which was circulated to all Members, a copy of which is attached to the signed copy of these minutes as item 5.</p>	

*The meeting adjourned at 6.40pm for the Committee to make its decision and reconvened at 6.51pm*

The meeting was told that In reaching its decision, the Licensing Committee had given due regard to relevant legislation and the guidance within the Council's Taxi and Private Hire Handbook particularly at Chapter 4.4 entitled Criminal Offence Guidelines. The Committee also gave regard to Human rights legislation and the rules of natural justice. Due consideration was given to representations that were made at the hearing and in writing.

**Resolved:** That the respondent be formally warned about his future conduct. The warning will remain on the respondent's file and if he appeared the Committee again the warning will be taken into account.

**Reasons for decision:** The respondent has held a private hire driver's licence for 10 years. The overriding duty of the Committee is to protect the public and the Committee is satisfied that the respondent is a fit and proper person to hold a private hire driver's licence.

**Advice to parties:** The respondent was advised that he can appeal against this decision to the Magistrates' Court in writing within 21 days of this decision.

<b>LCCB/15-16/06</b>	<b>Local Government (Miscellaneous Provisions) Act 1976 Determination of a new application for a Private Hire Driver's Licence</b>
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Before the Committee was a report by the Director for Communities, copy of which was circulated to all Members, a copy of which is attached to the signed copy of these minutes as item 6. Members were requested to consider and determine a new application for a Private Hire driver licence.

*The meeting adjourned at 7.10pm for the Committee to make its decision and reconvened at 7.27pm*

The meeting was told that In reaching its decision, the Licensing Committee had given due regard to relevant legislation and the guidance within the Council's Taxi and Private Hire Handbook particularly at Chapter 4.4 entitled Criminal Offence Guidelines. The Committee also gave regard to Human rights legislation and the rules of natural justice. Due consideration was given to representations that were made at the hearing and in writing.

**Resolved:** that the application be refused

**Reasons for decision:** The overriding duty of the Committee is to protect the public. the applicant had two convictions for drug offences, one of those was for offering to supply Class A drugs which the Committee takes very seriously. In addition the applicant had a conviction for no car insurance. Accordingly the Committee decided that the applicant was not fit and proper person to hold a private hire driver's licence.

**Advice to parties:** The applicant was told that he could appeal against this decision to the Magistrates' Court and must submit that appeal in writing within 21 days.

LCCB/15-16/07

**Local Government (Miscellaneous Provisions) Act 1976 Determination of a new application for a Private Hire Driver's Licence**

Before the Committee was a report by the Director for Communities, a copy of which was circulated to all Members, a copy of which is attached to the signed copy of these minutes as item 7. Members were requested to consider and determine a new application for a Private Hire driver's licence. The applicant had completed an application for a new Private Hire driver licence but due to the details on his application and medical it has been decided to refer his application to this Committee for consideration to allow the council to decide his suitability.

*the meeting adjourned at 7.54pm for the Committee to make its decision and reconvened at 8:10pm*

The meeting was told that In reaching its decision, the Licensing Committee had given due regard to relevant legislation and the guidance within the Council's Taxi and Private Hire Handbook particularly at Chapter 4.4 entitled Criminal Offence Guidelines. The Committee also gave regard to Human rights legislation and the rules of natural justice. Due consideration was given to representations that were made at the hearing and in writing.

**Resolved:** that the application be refused.

**Reasons for decision:** The overriding duty of the Committee is to protect the public. The applicant had convictions for driving without a licence and without insurance. The guidance from the Council's Taxi and Private Hire Handbook states:

"a serious view will be taken of convictions for driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily debar an applicant provided he has been three years free of conviction."

In this case the offence took place in July 2014 which was less than a year ago.

The Committee's decision is that the applicant is not a fit and proper person to hold a private hire drivers licence at this time.

**Advice to parties:** The applicant was told that he could appeal against this decision to the Magistrates' Court and must submit that appeal in writing within 21 days.

The meeting was declared closed at by the Chairman at 8:12pm, it having commenced at 6.30pm.

**Chairman**