

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

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

**Monday 2 October 2017**

Councillor Paul High (Chairman)

Noel Atkins  
Paul Baker  
Keith Bickers  
Callum Buxton  
\*Edward Crouch  
Lionel Harman  
Joshua High

Susan Jelliss  
\*Sean McDonald  
Jane Sim  
Bob Smytherman  
Paul Westover  
\*Steve Wills  
Tom Wye

\*Absent

**LCCA/17-18/06    Declarations of Interest / Substitute Members**

Nil.

**LCCA/17-18/07    Confirmation of Minutes**

**Resolved:** that the minutes of the Licensing and Control Committee A meeting of held on the 17 March 2017 be approved as amended.

**LCCA/17-18/08    Public Question Time**

There were no questions from the public

**LCCA/17-18/09    Local Government (Miscellaneous Provisions) Act 1976 Proposed  
Increase in the Worthing Hackney Carriage Tariff**

Before the committee was a report by the Director for Communities, copies of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 4. Members were requested to consider an application received from Worthing Hackney Carriage trade for an increase in the Hackney Carriage Tariff.

The Taxi Licensing Officer introduced the report to the committee and set out the application to members. The committee was told that the proposal had 38 supporters from amongst the trade and there had been two drivers that had expressed concerns that an increase in fares could turn people away from using taxis.

A trade representative presented the application to the committee and explained that the proposed rise was to cover increasing costs. Members were told that the new tariff would cost 50p extra for each journey

Members questioned the taxi trade representatives and were told that the new tariff had been simplified to make them easier to understand.

A Member asked if the whole trade had been canvassed about the proposed change to the tariff. The taxi licensing officer told members that a letter had gone out to all drivers.

**Resolved:** that the request from the Worthing Hackney Carriage trade for a new Tariff Scheme be approved as submitted.

#### **LCCA/17-18/10    Exclusion of the press and public**

**Resolved:** 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.

#### **LCCA/16-17/11    Local Government (Miscellaneous Provisions) Act 1976 Determination of a Review of a Private Hire Driver Licence**

Before the committee was a report by the Director for Communities, copies of which had been 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 what action, if any, should be taken against the holder of a Private Hire Driver's licence following information provided on the Private Hire driver renewal application. Due to the information received, the matter was referred to the Licensing Team Leader for consideration but it was deemed appropriate that any decision regarding the Private Hire driving licence should be taken by the Licensing & Control Committee.

The driver was not present at the meeting although he had been invited and had confirmed that he would attend. Although members were aware that they could hear the matter in absentia they were of the opinion that the driver may have been absent through no fault of his own and would therefore defer the matter to the next meeting.

**Resolved:** that the matter be deferred

#### **LCCA/17-18/12    Local Government (Miscellaneous Provisions) Act 1976 Determination of a new application for a Private Hire Driver Licence**

Before the committee was a report by the Director for Communities, copies of which had been 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. Due to the details of the application the matter was referred to the Public Health and Regulation Manager for consideration but it was deemed appropriate that the decision as to whether a licence could be granted, subject to the applicant successfully completing all the required stages, should be taken by the Licensing & Control Committee.

The Taxi Licensing Officer introduced the report to the Committee and confirmed with the applicant confirmed that it was an accurate outline of the application. The applicant had previously held a private hire driver licence that was revoked on the 7 April 2016 and a subsequent appeal at the magistrates court had upheld the council's original decision.

The committee carried out the procedure before it.

*The meeting adjourned at 7:15pm to consider its decision and reconvened at 7:55pm*

The meeting was told that in reaching its decision, the Licensing Committee gave due regard to relevant legislation and guidance within the Councils' Taxi and Private Hire Handbook. 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 Committee is not agreed that your situation has changed and that there has been more than one incident relating to alcohol where there has been police involvement, which was before the committee in March 2015 whilst you were on police bail. This pattern of drink driving offending and behaviour goes back to 2014, which was not isolated relating to excess alcohol. There were clear grounds to revoke the license to protect the public on the 07 April 2016 and there are clear grounds to continue that revocation. You are therefore not a fit and proper person to hold a private hire licence and transport the travelling public. The Committee finds that your application is not credible and is premature, and that the evidence does not satisfy the committee that you are fit and proper to hold a private hire vehicle at this time.

#### **LCCA/17-18/13    Local Government (Miscellaneous Provisions) Act 1976 Determination of a renewal application for a Private Hire Driver Licence**

Before the committee was a report by the Director for Communities, copies of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 8. Members were told that the matter would not need to be heard as the applicant had turned in his licence.

The meeting was declared closed at by the Chairman at 8.10pm, it having commenced at 6.30pm.

**Chairman**