

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

Gordon Room, Town Hall, Chapel Road, Worthing

Monday 9 January 2018

Councillor Paul High (Chairman)

*Noel Atkins
Paul Baker
Keith Bickers
Callum Buxton
*Rebecca Cooper
*Lionel Harman
*Joshua High

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

*Absent

LCCA/17-18/32 Declarations of Interest / Substitute Members

Nil.

LCCA/17-18/33 Confirmation of Minutes

Resolved: that the minutes of the Licensing and Control Committee A meeting of held on the 2 October 2017 be approved as amended.

LCCA/17-18/34 Public Question Time

There were no questions from the public

LCCA/17-18/35 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/16-17/36 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 5. The report before members asked the committee to consider what action to take, if any, against the holder of a Private Hire Driver's Licence following information provided on a Private Hire Renewal Application.

The Committee carried out the procedure to determine such matters

The meeting adjourned at 6.45pm and reconvened at 7.15pm

The meeting was told that In reaching its decision, the Licensing committee had given due regard to relevant legislation and guidance within the Councils Taxi and Private Hire Handbook. The committee had also given regard to human rights legislation and the rules of natural justice. Due consideration had been given to representations that were made at the hearing and in writing.

Resolved:

- i) That the renewal of the private hire driver's licence be approved;
- ii) That the driver be issued with a formal warning;
- iii) That the driver be issued with **5** penalty points, which will be held on his Private Hire Drivers Licence, which is in line with the council's current handbook, which outlines the penalty point's scheme for breaches of your licence conditions at Appendix C, point 11 namely making a false statement or withholding information to obtain a licence.

Reasons for Decision: The committee's overriding concern is public safety and does take convictions for speeding seriously particularly where they are in excess of the statutory 30 mph (mile per hour) speed limit, and when they have taken place within a short space of time in this case 3 offences over a 19 month period starting from April 2015 through to November 2016. Each offence acquired 3 points totalling 9 points. There is a one year gap between the 1st and 2nd offence and a 7 month gap between the 2nd and 3rd offence.

The committee had taken into account that the driver had held a private hire driver's licence for a substantial time with no other complaints and the driver's recollection of events wasn't memorable during that period of time, which had affected the drivers ability to notify the Authority of the 1st offence.

Advice to Parties: The driver was reminded that you have a right of appeal against the Committees' decision to Worthing Magistrates Court. You must submit that appeal within 21 days of being notified of this decision.

The meeting was declared closed at by the Chairman at 7.18pm, it having commenced at 6.30pm.

Chairman