

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

Council Chamber, Town Hall, Chapel Road, Worthing

Monday 12 December 2018

Councillor Paul High (Chairman)

Mike Barrett
Keith Bickers
Lionel Harman
Karen Harman
Joshua High
Charles James
Sean McDonald

Louise Murphy
Richard Mulholland
Jane Sim
Bob Smytherman
Paul Westover
*Mark Withers
Tom Wye

*Absent

LCCA/18-19/07 Declarations of Interest / Substitute Members

Councillors Paul High, Joshua High, Bob Smytherman and Sean McDonald declared an interest in item 5 as they knew the respondent as an acquaintance

LCCA/18-19/08 Confirmation of Minutes

Resolved: that the minutes of the Licensing and Control Committee A meeting of held on the 12 November 2018 be approved.

LCCA/18-19/09 Public Question Time

A member of the public asked the following question: *Why does the licensing office keeps putting forward agendas for Arrow private hire to put rear loading wheelchair accessible vehicles on the taxi rank , when the private hire sector has nothing to do with the hackney trade and nothing to do with taxi ranks in Worthing.* The Chairman told the member of the public that The Council and Licensing Officers do not put forward agendas for Arrow Cars to put rear loading wheelchair accessible vehicles on the taxi rank and never have. Following a supplementary question concerning the separation of trade meetings between Private Hire and Hackney Carriage the member of the public was told that the issue could be picked up at a future meeting where driver's handbooks would be discussed.

LCCA/18-19/10 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/18-19/11 Local Government (Miscellaneous Provisions) Act 1976 Determination
of a review of an existing Hackney Carriage Driver's 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. Member were given further information including character references, copies of which are also attached to the signed copy of these minutes. Due to information received the respondent's licence was referred to the Public Health & Regulation Manager for consideration, it was deemed appropriate that the matter be referred to the Licensing & Control Committee for consideration.

The Licensing Committee carried out the procedure as laid before it.

The meeting adjourned at 7.17pm for the members to consider their decision and reconvened at 7.43pm

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 had also given 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 Committee

- i) Requires the respondent to complete Disability and Equality Training;
- ii) Requires the respondent to complete Disabled Vehicle Training

Reasons for decision:

Having balanced the significant length of time the respondent has been a Taxi driver against this isolated incident, the Committee believes that this decision is just, reasonable and proportionate.

The Committee also notes that the respondent has not had any practical disabled vehicle training. The Committee is surprised that the Licensing authority does not mandate all Hackney Carriage driver licence holders to undergo practical disabled vehicle training.

In light of the respondent's acceptance of his error and his assurance to the Committee that he would now only ever carry one wheelchair user in his car, the Committee believes he is a fit and proper person and would maintain his licence.

Advice to Parties: You are reminded that you have a right of appeal against the Committees' decision to Worthing Magistrates Court, your appeal should be submitted to **Sussex Magistrates Administration Centre**, Edward Street Brighton BN2 0LG. You must submit that appeal within 21 days of being notified of this decision.

The meeting was declared closed at by the Chairman at 8:03pm, it having commenced at 6.30pm.

Chairman