

Minutes of a meeting of the  
Adur Licensing and Regulatory Sub-Committee  
1 November 2021  
at 7.00 pm

Councillor Paul Mansfield (Chairman)

Councillor Andy McGregor

Councillor Carol O'Neal

**LRSC/4/21-22 Declaration of Interests / Substitute Members**

There were no declarations of interest or substitute members

**LRSC/5/21-22 Exclusion of the Press and Public**

**Resolved:** 'that under section 100A(4) of the Local Government Act 1972, the press and public 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.'

**LRSC/6/21-22 Local Government (Miscellaneous Provisions) Act 1976  
Determination of a Review of an existing Hackney Carriage  
Driver Licence**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 3. The report before members asked the sub-committee to consider what action if any should be taken in regard to a current Hackney Carriage licence.

The Sub-Committee carried out the procedure before it

*The Sub-Committee adjourned at 7:32pm and reconvened at 7:38pm*

The meeting was told that in reaching its decision, the Licensing Committee gave due regard to relevant legislation and guidance within the Councils Hackney Carriage and Private Hire Licensing 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 a Formal Warning be issued

**Reasons for Decision**

The Licencing Committee believed that a formal warning was appropriate and that the driver remained a fit and proper person to hold a hackney carriage licence. The Committee were assured that the driver had taken steps to ensure that speeding in your vehicle did not happen again. An electronic mapping system had been fitted in the car, the vehicle had been changed as well as the way the driver was contacted by family. This

demonstrated that the driver appreciated the seriousness of the matter and taken the necessary steps to prevent this happening again in the future.

**LRSC/7/21-22            Local Government (Miscellaneous Provisions) Act 1976  
Determination of a Review of an existing Private Hire Driver  
Licence**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 4. The report before members asked the sub-committee to consider what action if any should be taken in regard to a current Private Hire Drivers Licence

The Committee carried out the procedure before it

*The meeting adjourned at 8:31pm to consider its decision. The meeting was reconvened at 9:05pm*

In reaching its decision, the Licensing Committee gave due regard to relevant legislation and guidance within the Councils Hackney Carriage and Private Hire Licensing 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 driver undertakes a driving assessment with the Blue Lamp Trust within 6 weeks and for the outcome of this assessment to be reported to the licensing authority.

**Reasons for Decision**

The Licensing Committees overriding concern was public safety. The Committee believed that by attending the driving assessment any weakness in the Driver's driving would be addressed and through this he would remain a fit and proper person to hold his licence. The Driver was reminded that it was expected he would read and comply with all of the rules contained in the Hackney Carriage and Private Hire Licensing Handbook.

**LRSC/8/21-22            Local Government (Miscellaneous Provisions) Act 1976  
Determination of a Review of an existing Private Hire Driver  
Licence**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 6. The report before members asked the sub-committee to consider what action if any should be taken in regard to a current Private Hire Driver's Licence.

The Sub-Committee carried out the procedure before it.

*The meeting adjourned at 21:30 to consider its decision. The meeting was reconvened at 22:50*

This is a Review of an existing Private Hire Driver Licence. In reaching its decision, the Licensing Committee gave due regard to relevant legislation and guidance within the Councils Hackney Carriage and Private Hire Licensing 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**

Suspend the licence with immediate effect until completion of the Blue Lamp Driving Assessment Course.

### **Reason for the Decision**

The Committee's overriding concern was public safety. The Committee were concerned that there had been had five accidents in three years although it was accepted that there was evidence only one was a fault claim, two were non fault and two were unknown as to whose fault. The driver had also obtained 9 points for speeding in 7 days. The Committee believed that a suspension is proportionate to protect the public and ensure that the driver did not drive a private hire vehicle until it had been successfully demonstrated that the driver's ability to drive safely and successfully pass the assessment.

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The meeting ended at 10.55 pm