

Minutes of a meeting of the
Worthing Licensing & Control Committee A
14 February 2022
at 6.30 pm

Councillor Steve Wills (Chair)

Councillor Mike Barrett
Councillor Ferdousi Henna
Chowdhury
Councillor Dan Coxhill
Councillor Cathy Glynn-Davies
Councillor Margaret Howard
Councillor Sean McDonald

Councillor Richard Mulholland
Councillor Richard Nowak
Councillor Hazel Thorpe
Councillor John Turley
Councillor Nicola Waight
Councillor Rosey Whorlow

Absent

Substitutes

LCCA/15/21-22 Declarations of Interest / Substitute Members

There were no declarations of interest or substitute members

LCCA/16/21-22 Confirmation of Minutes

Resolved: that the minutes of the Licensing and Control Committee A meeting of held on the 24 January 2022 be approved

LCCA/17/21-22 Public Question Time

There were no questions from the public

LCCA/18/21-22 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/19/21-22 Local Government (Miscellaneous Provisions) Act 1976 - Review of a Private Hire Driver's Licence

Before the Committee was a report by the Interim 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. Members were requested to consider and determine a review of a Private Hire driver licence. Due to previous warnings on the respondent's private hire driver licence file it was deemed appropriate that the Private Hire driver licence be reviewed by the Licensing & Control Committee.

The Committee carries out the procedure laid before it

The Licence Holder claimed that they had not been given a copy of the Committee papers. The Committee determined to give the respondent the benefit of the doubt and agreed to adjourn the hearing to allow extra time for the respondent to study the Committee papers

On a vote the meeting was adjourned at 7.15pm

The meeting was reconvened at 6.30pm on Friday 18 February 2022.

*Present at the reconvened meeting were Councillors Steve Wills, Mike Barret, Sean McDonald, Richard Nowak, Cathy Glynn-Davies, John Turley and Rosey Whorlow**

Rosey Whorlow left the meeting at 6.45pm

Resolved: that the licence be revoked with immediate effect

Reasons for decision: The Committee did not believe that the driver was a fit and proper person. The Committees overriding concern was public safety.

There had been 3 complaints of a similar sexual nature and although two are historic these nevertheless build a fuller picture of the potential risk we believe the respondent was to the public.

The explanation that the respondent did not know where the CCTV was located was not accepted. There was no plausible reason for it to have been disconnected. In addition there was evidence that the CCTV was not working for at least 3 weeks as the battery was flat. It was a requirement of the licence for the CCTV to be working and consequently the respondent was in breach.

These complaints, the fact that CCTV footage could not be accessed and the fact that the respondent did not notify the office that the respondent had changed or registered with another operator tipped the balance of probabilities that the respondent posed a risk and consequently it was proportionate and necessary to revoke the respondent's licence with immediate effect to safeguard the public.

The meeting ended at Time Not
Specified