

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

Wednesday 1 March 2023

Councillor Sally Smith (Chair)
Councillor Hazel Thorpe
Councillor Cathy Glynn-Davis

LCSCA4/22-23 Declaration of Interests / Substitute Members

Councillor Jon Roser substituted for Councillor Cathy Glynn-Davies

There were no declarations of interest.

LCSCA5/22-23 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.

**LCSCA6/22-23 Local Government (Miscellaneous Provisions) Act 1976 Review
of Private Hire Driver's Licence**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all members. Members were requested to consider and determine a review of a Private Hire Driver Licence.

The Committee carried out the procedure laid before it.

The meeting adjourned at 7:00pm for the members to consider their decision and reconvened at 7.30pm

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.

Resolved

The Committee has taken the following decision to: revoke the licence with immediate effect.

Reasons for decision

The reasons given for the decision are that the overriding concern is the protection of the public and the Committee do not believe, on the evidence that they have before them

and what they have heard tonight, that the driver is a fit and proper person to hold a licence.

The driver has told the Committee this evening that he did know that the MOT had failed but that the garage did not tell him that he could not drive the vehicle or that it had dangerous defects. He understood that repairs were needed but did not ask the garage what these were or what the car had failed its MOT on. It is the driver's duty as a professional driver and as a road user to ensure that he is driving a safe and roadworthy vehicle. It is not accepted that he did not know that he couldn't drive his vehicle and consequently he drove without valid insurance and presented a significant risk to passengers, other road users and pedestrians. He drove 43 miles with Do Not Drive until repaired (dangerous defects) rear brake pads and therefore the only decision can be to revoke the drivers licence.

The meeting ended at 7.35 pm

Chair