

**Minutes of a Meeting of the
WBC Licensing and Control Sub Committee 'A' of
Worthing Borough Council
at 6.30 pm**

Thursday 27 April 2023

*Councillor Rosey Whorlow (Chair)
Councillor Lionel Harman
Councillor Samuel Theodoridi

*Absent

LCSCA/7/22-23 Declaration of Interests / Substitute Members

Councillor Sally Smith substituted for Councillor Rosey Whorlow.

Councillor Sally Smith declared that she had chaired the sub committee on 1st March 2023 at which the Committee considered the review of a Private Hire Driver Licence relating to Mr Ben-Hamda. She confirmed that she had come to this meeting with an open mind and would review all relevant papers prior to making a decision.

LCSCA/8/22-23 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.

LCSCA/9/22-23 Determination of a new 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. Members were requested to consider and determine a new Private Hire Driver Licence.

Presenting Officer presented the report

The Licensing Officer presented the report explaining the circumstances leading to this hearing.

The Committee carried out the procedure laid before it.

The meeting adjourned at 7.10 pm for the members to consider their decision and reconvened at 7.20 pm

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 grant a private hire driver's licence.**

Reasons for decision

The Committee accepted the new evidence presented before them. It was with regret that this information was not available at the previous hearing.

The Committee believed that the respondent was a fit and proper person but were concerned over his vehicle's maintenance. It was therefore a condition of his licence that he attends an accredited car maintenance course. The Committee did not feel that addition steps such as the knowledge test should be required and that this licence should be treated as far as possible as if it was renewed.

LCSCA/10/22-23 Determination on Private Hire Vehicle 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 a request for a Private Hire Vehicle Licence to be exempt from the seating measurement set out in Worthing Borough Council's Hackney Carriage & Private hire Licensing Handbook and determine whether to allow the vehicle to be licensed for 6 passengers.

Presenting Officer presented the report

The Licensing Officer presented the report explaining the circumstances leading to this hearing.

The Committee carried out the procedure laid before it.

The meeting adjourned at 7.45 pm for the members to consider their decision and reconvened at 7.55 pm

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: **not allow the exemption.**

Reasons for decision

The Committee were not persuaded that this vehicle was any different from the other vehicles in the borough. It was not demonstrated that any 3 persons could sit in the back of the vehicle comfortably. The licence holder was reminded of the condition not to use the seat at the rear middle and the Committee were concerned that the licence holder had provided photographs showing that the licence has been breached.

The meeting ended at 8.02 pm

Chair