

Minutes of a meeting of the
Worthing Licensing & Control Committee A
27 January 2020
at 6.30 pm

Councillor Sean McDonald (Chairman)
Councillor Charles James (Vice-Chairman)

Councillor Mike Barrett
Councillor Roy Barraclough
Councillor Karen Harman
Councillor Martin McCabe

Councillor Dawn Smith
Councillor Sally Smith
Councillor Jane Sim
Councillor Paul Westover

Absent

Councillor Keith Bickers, Councillor Ferdousi Henna Chowdhury, Councillor Louise Murphy, Councillor Nicola Waight and Councillor Steve Wills

Substitutes

LCCA/7/19-20 Declarations of Interest / Substitute Members

Councillor Westover declared an interest in item 5 as a DJ who worked for a company mentioned by the applicant.

LCCA/8/19-20 Confirmation of Minutes

Resolved that the minutes of the Licensing and Control Committee A meeting of held on the 24 June 2019 be approved as the correct record

LCCA/9/19-20 Public Question Time

There were no public questions

LCCA/10/19-20 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/11/19-20 Local Government (Miscellaneous Provisions) Act 1976
Determination of a new application for a Private Hire 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 5. Members were asked to determine an application for a new Private Hire Drivers' Licence the details of which meant that it was appropriate for the Committee to consider the application.

The Committee carried out the procedure before it

The meeting adjourned at 6.55pm for the members to consider their decision and reconvened at 7.45pm

The meeting was told that in reaching its decision the Licensing Committee had given due regard to relevant legislation and guidance within the Council's 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 private hire licence be not granted

Reasons for decision: The Committee's overriding concern was public safety and took convictions for alcohol related driving offences seriously. The Committee referred to the taxi handbook for Worthing which states that for one or more conviction for any alcohol related driving offence represented an unacceptable risk to the public and an application will normally be refused.

The Committee felt unable based on evidence before them to grant a licence. They had no medical evidence to determine the length of sobriety and were concerned about the lack of evidence of a professional support network that was in place.

**LCCA/12/19-20 Local Government (Miscellaneous Provisions) Act 1976
Determination of a new application for a Private Hire 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. Members were asked to determine an application for a new Private Hire Drivers' Licence the details of which meant that it was appropriate for the Committee to consider the application

The Committee carries out the procedure before it

The meeting adjourned at 8.08pm for the members to consider their decision and reconvened at 8.33pm

The meeting was told that in reaching its decision it had given due regard to relevant legislation and guidance within the Council's Hackney Carriage and Private Hire Licensing Handbook. The Committee also gave regard to human rights legislation and the rules of natural justice.

Resolved: that the private hire drivers licence be not granted

Reasons for decision: The committee did not believe the applicant was a fit and proper person. Within one month of being granted a private hire drivers licence by the committee the applicant was convicted for driving 96mph in a goods vehicle restricted to 60mph. The committee deemed that to be a major traffic offence and the current taxi policy handbook for Worthing Borough Council stated that an application would normally be refused until at least five years after the conviction. The Committee were also extremely concerned that their previous expectation for the applicant to attend an anger management course had not been acted upon.

The meeting ended at 8.35 pm