

Minutes of the Regulatory Sub-Committee

27 November 2025

-: Present :-

Councillors Foster, Pentney and Stevens

16. Election of Chair

Councillor Foster was elected as Chair for the meeting.

17. Exclusion of Press and Public

Prior to consideration of the items in Minute 18, the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information, as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

18. Review of a Torbay Council Driver's Licence

Members considered a report on the fit and proper status of the holder of a Torbay Council issued Driver's Licence, Private Hire Operators Licence and Private Hire Vehicle Proprietor Licence.

The Licensing Officer presented the report which set out information detailing several complaints related to driving standards and serious habitual allegations towards lone female passengers, against the holder of a Torbay Council issued Driver's Licence, Private Hire Operators Licence and Private Hire Vehicle Proprietor Licence.

The Respondent was supported at the hearing by a Legal Representative and Members received oral representations from the Respondent and their representative.

Decision:

That the Respondent's Torbay Council Drivers' Licence be revoked in accordance with Section 61(1)(b) of the Local Government (Miscellaneous) Provisions Act 1976 and that this revocation shall have immediate effect, in accordance with Section 61(2B) of the Local Government Miscellaneous Provisions Act 1976.

Secondly, in relation to the Private Hire Operators Licence, the licence shall be revoked with immediate effect in accordance with Section 62(1)(b) of the Local Government Miscellaneous Provisions Act 1976.

And thirdly, in relation to the Private Hire Vehicle Proprietor Licence, the licence shall be revoked with immediate effect in accordance with Section 60 (1)(c) of the Local Government Miscellaneous Provisions Act 1976.

Reasons for Decision:

In coming to their decision, Members carefully considered having been charged with the responsibility to determine the drivers' licence, whether they would allow their son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person to whom they care, or any other vulnerable person known to them to get into a vehicle with the respondent alone. An unequivocal and unanimous answer by Members to this question, was "no".

Members were tasked with determining whether the Respondent remained a fit and proper person to hold a Torbay Council Private Hire Drivers' Licence. In doing so, Members considered his conduct, character, and compliance with Torbay Council's Taxi and Private Hire Licensing Policy, as well as relevant statutory provisions and guidance.

Members noted the Respondent had been the subject of five complaints between 5 December 2024 and 11 November 2025. The complaints related to poor driving standards and serious allegations of unwanted behaviour some being sexual in nature towards lone female passengers. In addition to the written and oral submissions, Members listened to 3 voice recordings relating to the allegations received from either the lone female passengers themselves or their mother in one case who had all called the Respondent's Private Hire Operator to report their concerns.

The Respondent within his oral submissions, denied all the allegations, and in relation to those reported by the three lone females, he denied he had instigated the conversations or asked them anything inappropriate.

In respect of the two driving complaints from the same evening in which there was a large group for which he needed to make three journeys, from which two had received separate complaints, he denied he had been speeding and that the passengers were 'chucked around in the car' referring to a fixed camera on the route and no kerbs present. The Respondent also denied almost colliding with the man walking a dog, who had shone his torch at him whilst he was driving.

The Respondent felt that at least one of these complaints may have been fabricated because he was foreign and in relation to the other, he had received a tip from one of that party, so on that basis he believed that he could not have driven as badly as the complainant suggested.

Members found that the complainant's accounts were more than likely to be an accurate reflection of what had occurred, and that the Respondent was a risk to public safety.

Members were mindful of the statutory guidance issued by the Department for Transport and the Institute of Licensing's Suitability Guidance, which emphasises that

public safety is paramount and that individuals who fall below the required standards should not be licensed.

Members determined that the cumulative nature of the complaints, coupled with the similar nature but independent complaint evidence, demonstrated a pattern of behaviour inconsistent with the standards expected of a licensed driver and vehicle proprietor.

Members were further concerned to learn at the hearing of several driving offences committed in 2024 and 2025 which had incurred penalty points and that the Respondent had failed to inform the Licensing Authority of the imposition of penalty points on his driving licence. Whilst the Respondent accepted he had read the Taxi Policy, he confirmed that he had not read it properly, which further demonstrated to Members the Respondents lack of regard for the role of a professional driver.

In concluding, Members resolved to revoke the Respondent's Drivers' Licence, Private Hire Operators Licence and Private Hire Vehicle Proprietor Licence with immediate effect, as they could not be satisfied that he remained a "fit and proper person" to hold said Licences. In determining this, Members believed that the Respondent's conduct as a professional driver had fallen below the standards, they expected of driver licensed by Torbay Council and resolved that to revoke all licences with immediate effect was in their opinion, both necessary and proportionate, to ensure public safety.

Chair