

Please reply to: Shaun Rackley
Licensing,
Town Hall, Castle Circus,
Torquay,
TQ1 3DR

My ref: SRU/266183

Your ref:

Telephone: 01803 208025

E-mail: Shaun.rackley@torbay.gov.uk

Website: www.torbay.gov.uk

Mr S Setters

[Address Removed]

Date: 6th October 2021

Dear Mr Setters,

**Re: Inappropriate behaviour complaint and DVLA points
Licensed Driver [Removed] Vehicle registration [Removed]**

I am writing to you to discuss two separate issues, the first being your notification of expected DVLA points on your driving licence and secondly, a complaint which I have received about your inappropriate behaviour whilst working in a licensed vehicle.

Firstly, I have been made aware by a colleague that since the issue of your licensed drivers badge on the 14th of July 2021 you have notified us that you are shortly due to receive four separate speeding convictions. I have also been made aware of this by the vehicle proprietor licence holder who as the legal owner of the vehicle, has had to notify the DVLA of whom was driving the vehicle on all four occasions.

Although you are yet to receive any punishment on your DVLA licence, it concerns me that you have only been a Licensed driver for less than 3 months and we are being notified of four separate speeding offences with a potential that you could lose your DVLA driving licence. This on its own questions your suitability to continue to hold a Licensed drivers badge with this Local Authority.

In addition to this, I have received a complaint about inappropriate behaviour from yourself whilst using HC [Number removed], vehicle registration [Removed]. I have spoken again to the Hackney Carriage Vehicle Proprietor to ascertain who was driving the vehicle at the time of the complaint and he has confirmed that you are the sole driver.

The complainant alleges that the above vehicle, was seen parked on Easterfield Lane, Torquay on Saturday the 2nd October 2021 at approximately 2300hrs, where a male and female were seen within the vehicle, naked and carrying out sex acts on each other in the rear of the vehicle whilst the internal light, taxi roof sign and headlights of the car were all on. The complainant also points out that the location of where you were parked is near a scout hut and camp site which is used by minors and on the night in question, the minors had to be transported down Easterfield Lane due to a problem with water supply.

If you require this in a different format or language, please contact me.



Whilst they were being transported, they had to drive by your vehicle viewing the two occupants of the vehicle carrying out these sex acts.

In order for me to investigate the complaint, can you respond to me with your version of events as soon as possible and by no later than the **15th October 2021** either in writing to the postal address above, or via email. In addition to complaint please can you detail the expected four driving offences which you expect your driving licence to be endorsed with as I feel that both matters should be looked at together when questioning your fit and proper status as a Licensed driver.

Once I have this information I will determine if these matters need to be referred to Torbay Council's Licensing Committee.

To assist you I enclose a copy of the complaint along with a photo that was taken to demonstrate the accuracy of the vehicle details.

I look forward to hearing from you with the requested information in due course.

Should you need to contact us please quote the reference number above.

Yours sincerely

Shaun Rackley
Licensing Officer