

**Please reply to:** Mr Shaun Rackley

Licensing & Public Protection  
Town Hall  
Castle Circus  
Torquay  
Devon  
TQ1 3DR

Mr S Setters

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXX

**My ref:** NEW/SAR

**Your ref:**

**Telephone:** 01803 208025

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

**Date:** 22 September 2023

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Dear Mr Setters,

**Re: Application for Licensed Drivers badge**

I am writing to you following the submission of an application made by yourself for a Licensed drivers badge with Torbay Council.

Unfortunately, after checking the application, it has been identified you have received 9 DVLA penalty points for traffic offences. These are 3 separate traffic offences which are listed in Torbay Councils Taxi Policy as minor traffic offences.

The Policy states the following:

*7 Minor traffic offences*

*7.1 Convictions for minor traffic offences will not prevent a person from being considered for a licence.*

*7.2 Applicants that have six live penalty points on their driving licence for such offences, may be granted a licence subject to a strong written warning.*

*7.3 Applicants that have seven or more penalty points on their driving licence will normally be refused and no further application will be considered until a period of at least one year free from conviction or at least one year since the completion of the sentence (whichever is longer).*

*7.4 In the case of a licensed driver accumulating nine or more penalty points on their driving licence, the Licensing Authority may refuse to renew, suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least one year free from conviction or at least one year since the completion of the sentence (whichever is longer).*

*7.5 A list of minor traffic offences can be seen in table 1.*

Further to this, your previous Licensed Drivers badge (LD0031) was revoked by Torbay Council's Licensing Committee on the 9<sup>th</sup> of December 2021.

A decision on whether a Licensed driver's badge can be granted to you, or refused, must be made by Torbay Council's Licensing Committee.

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



A hearing date of **Thursday the 26<sup>th</sup> of October 2023 at 09:30hrs** has been set.

In order for me to compile a report to put before members, I require the following document:

- Enhanced Disclosure & Barring Service (DBS) check (must be carried out in the last 2 months, or, if you are signed up to the DBS update service, this can be an older certificate)
- Group 2 medical check
- Driving Standards Assessment

Please can you also respond in writing with any mitigating circumstances that will support your application. This will be included in the report, however, you will also be invited to attend and address the Committee members on the day and put your case before them.

Please can you return all requested information by no later than **Friday the 29<sup>th</sup> of September 2023**. Failure to return the documents will delay the hearing and a later date being set.

If you wish to withdraw your application, please let me know and I can arrange a refund of the fee paid.

I look forward to hearing from you in due course.

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

Yours sincerely



Shaun Rackley  
Licensing Officer