Minutes of the Regulatory Sub-Committee

8 October 2026

-: Present :-

Councillors Hutchings, Barbara Lewis and Stevens

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22. Election of Chair

Councillor Barbara Lewis was elected as Chair for the meeting.

23. Minutes

The Minutes of the meeting of the Sub-Committee held on 10 September 2026 were confirmed as a correct record and signed by the Chair.

24. Exclusion of Press and Public

Prior to consideration of the items in Minute 25, 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).

25. 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.

The Licensing Officer presented the report which set out information relating to a number of complaints received about the Respondent's conduct whilst working as a licensed driver. Members noted that the complaints included allegations of inappropriate conversations with young female passengers, poor customer service and aggressive behaviour.

Members received oral representations from the Respondent.

Decision

That the Respondent's Torbay Council Driver's 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.

Reasons for Decision

Having carefully considered all the written and oral representations, Members resolved to revoke the Respondent's Torbay Council Driver's Licence, having determined that they could not be satisfied that the Respondent was a fit and proper person to continue to hold a driver's licence issued by Torbay Council. Members further determined that the revocation should take immediate effect in the interests of public safety.

In reaching their decision, Members carefully considered whether they would allow a person for whom they care, or any vulnerable person known to them, to travel alone in a vehicle driven by the Respondent. Members unanimously agreed they could not.

Members noted that the Respondent had held a Torbay Council Driver's Licence for over 11 years and referred to his many years of service carrying members of the public, including vulnerable passengers and school transport users. Members considered the Respondent's frank admission that he had recently and was currently suffering from significant personal and financial pressures, together with the loss of his mother, and that these matters had adversely affected his mental wellbeing and judgement. Members were sympathetic to the difficult circumstances described by the Respondent and accepted that he had spoken candidly about the affect those circumstances had been having upon him. However, Members were obliged to determine the matter on the evidence before them and with public safety as their overriding consideration.

Members noted that four complaints had been received between December 2025 and August 2026. Of particular concern to Members were the complaints involving inappropriate comments made to female passengers and minors. Members noted the Respondent's submission that he had no recollection of some of the alleged comments and did not know the ages of the passengers involved. However, Members considered that a professional licensed driver carrying passengers, particularly young female passengers, should be aware of who is in their vehicle and should exercise appropriate judgement in the conversations they engage in.

Members were especially troubled that the allegations showed a pattern of inappropriate conversations with female passengers over several months. Whilst any one incident may not necessarily have justified revocation on its own, Members were required to consider the cumulative impact of multiple complaints and the forming pattern of behaviour. Members found that the complaints demonstrated a concerning lack of professional boundaries and judgement.

Members also attached significant weight to the complaint in which the Respondent was alleged to have shouted and sworn at passengers before ordering them to leave his vehicle. Whilst the Respondent sought to explain that he had been under significant pressure and had lost his temper momentarily, Members nevertheless considered such behaviour wholly incompatible with the standards expected of a licensed driver entrusted with the safety and wellbeing of members of the public.

Furthermore, whilst Members found the Respondent open and honest about his current circumstances, Members noted that he repeatedly stated that he was not in the right frame of mind to continue as a licensed driver to the extent that he confirmed

that he no longer wished to retain his licence. Members accepted that this was an honest acknowledgement of his circumstances, further reinforcing their significant concerns regarding public safety.

Members were mindful of the relevant paragraphs of the Institute of Licensing Suitability Guidance in the Report together with those of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards, and Torbay Council's Taxi Policy. In particular, Members recognised that they were entitled to consider conduct that had not resulted in criminal convictions, that professional drivers are expected to behave appropriately at all times and that repeated inappropriate conversations with passengers are matters that must be taken seriously in order to maintain public confidence in the licensed trade.

Having considered all the evidence before them, Members concluded that the complaints constituted a pattern of repeated unacceptable behaviour which demonstrated poor judgement, inappropriate interactions with passengers and a failure to maintain the professional standards expected of a licensed driver. Members considered whether a lesser sanction, such as a warning or suspension, would be sufficient. However, taking into account the nature of the complaints, the cumulative pattern of behaviour, the safeguarding concerns raised, the complaint recordings that Members had heard and the Respondent's own admission that he was not in a suitable mental state to continue driving professionally, Members concluded that revocation was the only proportionate outcome.

Members further determined that the revocation should take immediate effect. Members were satisfied that allowing the Respondent to continue driving during any appeal period would not be consistent with their overriding duty to protect the public. Given the concerns regarding judgement, behaviour towards passengers and the Respondent's own evidence regarding his current mental state, Members concluded that immediate action was necessary in the interests of public safety.

In concluding, Members were not satisfied that the Respondent remained a fit and proper person to hold a Torbay Council Driver's Licence and resolved to revoke that licence with immediate effect.

Chair

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