



Wednesday, 14 October 2015

## **LICENSING SUB-COMMITTEE**

A meeting of **Licensing Sub-Committee** will be held on

**Thursday, 22 October 2015**

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

### **Members of the Committee**

Councillor Cunningham

Councillor Ellery

Councillor Manning

---

**Working for a healthy, prosperous and happy Bay**

---

For information relating to this meeting or to request a copy in another format or language please contact:

**Kay Heywood, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
**01803 207026**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)

[www.torbay.gov.uk](http://www.torbay.gov.uk)

# LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**  
To elect a Chairman/woman for the meeting.
2. **Apologies**  
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Minutes** (Pages 3 - 13)  
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 17 September 2015.
4. **Declarations of interests**
  - (a) To receive declarations of non pecuniary interests in respect of items on this agenda  
**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**  
To consider any other items that the Chairman decides are urgent.
6. **Taxi Driver Report** (Pages 14 - 21)  
Review of Torbay Council issued Driver's Licence following conviction for assault.
7. **Taxi Driver Report** (Pages 22 - 32)  
To review a Torbay Council issued Driver's Licence following a conviction of driving without due care and attention.



## Minutes of the Licensing Sub-Committee

17 September 2015

-: Present :-

Councillors Ellery, Manning (In place of Doggett) and Thomas (D) (In place of Lang)

**21. Election of Chairman/woman**

Councillor Manning was elected as Chairman for the meeting.

**22. Apologies**

It was reported that the membership of the Sub-Committee had been amended for this meeting by including Councillor Manning instead of Councillor Doggett and Councillor Thomas (D) instead of Councillor Lang.

**23. Minutes**

This item was deferred until a future meeting.

**24. Licensing Act 2003 - An application for a Variation to a Premises Licence in respect of Park Lane, 1 Torwood Street, Torquay, TQ1 1ED**

Members considered an application for a Variation to a Premises Licence in respect of Park Lane, 1 Torwood Street, Torquay, TQ1 1ED.

The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Environmental Protection	Representation of support in relation to Licensing Objective 'The Prevention of Public Nuisance.'	27 August 2015
Interested Parties	1 Representation on behalf of 4 Interested Parties in relation to Licensing Objectives 'The Prevention of	26 August 2015

	Crime and Disorder,' 'The Prevention of Public Nuisance' and 'Public Safety.'	
--	--	--

Members noted there have been no additional Representations received from any other Responsible Authority or any other Interested Party.

Oral Representation received from:

Name	Details
Applicant	The Applicant outlined the application, as set out in the submitted documents and responded to Members questions.
Environmental Protection	The Public Protection Officer outlined his Representation in support, as set out in the submitted documents and responded to Members questions.
Nominated Representative on behalf of 4 Interested Parties	The Representative acting on behalf of 4 Interested Parties mentioned the objection, by reference to the Solicitors letter dated 26 August 2015, presented the proposed future development of the building and where able, and responded to Members questions.

Additional Information:

For ease and clarity and with Members consent, the Senior Licensing Officer circulated a table which showed the premises licence current, proposed deleted and amended conditions.

Decision:

That the application for a Variation to a Premises Licence, in respect of Park Lane, 1 Torwood Street, Torquay TQ1 1ED be granted, subject to the following conditions:

#### **The Prevention of Crime and Disorder**

1. A CCTV system of an evidential standard must be installed to the satisfaction of the police, and the system to be in operation at all times the premises are open to the public. All recordings from that system must be kept for a period of 14 days and the police to have access to recordings at

any reasonable time.

2. In respect of the roof terrace area, CCTV cameras shall be installed in this area to the satisfaction of the police and there shall be a monitor situated behind the ground floor bar for viewing by staff.
3. On any Wednesday, Friday, Saturday and Sunday nights SIA door stewards shall be employed from 2200 hours until closing time at a ratio of 2 stewards for the first 100 patrons, and thereafter 1 additional steward for each 100 patrons. This condition shall also apply to Christmas Eve and New Years Eve when they do not fall on a Wednesday, Friday, Saturday or Sunday. On all other occasions the Premises Licence Holder shall risk assess the need for door stewards and employ these as such numbers and at such times determined by that risk assessment.
4. SIA door steward, when on duty, must wear distinctive dress.
5. On every operational day when SIA door stewards are required, then those stewards who are employed for front of house duties must wear yellow high visibility jackets for the entirety of their duty.
6. Nominated SIA door stewards and members of management must carry effective two way radios with earpieces and used at all times after 2200 hours. This equipment is kept in good working order.
7. Subject to condition 3 above, on every occasion that the premises sells alcohol after midnight and then closes after 0030 hours, SIA door stewards shall be employed at the premises from 2200 hours until closing.
8. At all times that SIA door stewards are employed at the premises after 2200 hours, an SIA door steward shall be positioned at the entrance to the premises.
9. From 2300 hours until the premises close, members of staff and SIA door stewards shall direct patrons to the roof terrace area if they suspect that the patron(s) is leaving by the main entrance to smoke outside the premises.
10. At all times that the roof terrace area is open, regular checks are to be made by staff and after 2200 hours, an SIA door steward shall be situated in that area. Their duties will include, ensuring that persons using the roof terrace behave in an orderly manner, and that persons shouting, singing or acting in a way that may cause a noise nuisance will be asked to leave the roof terrace area and if necessary, the premises.
11. The premises will maintain membership and actively participate in the Nitenet Radio Scheme, with the radio being in the possession of either the Head SIA Door Steward (when SIA door stewards are employed on the premises) or the Duty Manager.
12. Notices shall be prominently displayed within all bars of the Premises informing patrons who wish to smoke to use the roof terrace area.

13. Consumption of alcohol on the ground floor terrace shall be by persons seated, no alcohol shall be served in glass bottles within those areas from which it is intended or likely that a person shall drink.
14. In relation to the consumption of food and drink (alcoholic and non-alcoholic) on the ground floor terrace, there shall be no consumption after 0200 on Friday and Saturday and after 0000 Sunday to Thursday.
15. Patrons leaving the premises for all purposes between 0000 hours on Saturday nights until 0200 hours on Sunday mornings will not be permitted back into the premises without paying an entrance fee.
16. There must be no entry/re-entry after 0200 hours.
17. The number of persons admitted to the premises on any one occasion shall not exceed a safe occupancy. This is in agreement with the responsible authorities notably Devon Fire and Rescue and the Health and Safety Team.
18. All bar staff will be trained in relation to their responsibilities in relation to the Licensing Act in respect of the sale/supply of alcohol. After 2200 hours at least one manager who holds a personal licence shall be on the premises whilst open to the public.

19. From 2300 hours all drinks must be served in toughened/strengthened glasses or polycarbonate/plastic vessels and no drinks will be served in glass bottles from which it is intended or likely that a person shall drink. All glasses are stamped in accordance with Weights and Measures Legislation.
20. Adequate glass and bottle collection shall be undertaken throughout the premises.
21. There must be a zero tolerance with drugs and have a drugs policy in force on the premises, with the objective of securing, as far as reasonably practical, the safety of others attending the premises.
22. A secure drug deposit box approved by Devon & Cornwall Constabulary shall be located on the premises for the safe storage of any drugs found or seized.
23. The DPS or member of the management team shall attend at least two Torquay Forum Meetings per calendar year, and any other meetings organised by the Police in relation to high risk events.
24. The Licensees shall work with the Local Authority and support any seasonal and other advertising campaigns.

#### The Prevention of Public Nuisance

1. Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially after 2300 hours. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are:-
  - (i) Before 2300 hours – Noise emanating from the premises shall not be clearly distinguishable above other noise.
  - (ii) After 2300 hours – Noise emanating from the premises shall not be distinguishable above background levels of noise.
  - (iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property.
2. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
3. Doors and windows must be kept shut during entertainment to reduce noise breakout. A management scheme will be in place to ensure this situation remains.

4. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/management and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
5. All regulated entertainment shall be played through a noise limiter which is set at a level as agreed with the local responsible authority for public nuisance. The noise limiter shall be made tamper proof and any adjustments to sound levels shall only be made in consultation with the responsible authority for public nuisance.
6. The level of amplified music shall be reduced automatically by 1/3 of the agreed level set by the noise limiter at 0300 hours until closing.
7. The volume of any regulated entertainment will be under the control of the management at all times. Should monitoring indicate that the volume should be reduced, management shall take steps to ensure levels are reduced immediately.
8. No changes that increase the level of volume to the Public Address system shall be made without prior consultation with the local Environmental Health Department; this includes moving of speakers, addition or removal of any equipment and the use of guest acts/DJ's own equipment.
9. Entrances must be provided with lobbies with automatic door-closers. The lobbies shall be in use throughout the time of entertainment
10. Lobbies shall be constructed and operated in such a way to ensure that if regulated entertainment is being played inside the premises, only one door shall be opened at any one time to prevent noise breakout. These doors shall be fitted with automatic closers.
11. Where any proposed structural changes are made to the premises, agreement must be reached with the Environmental Health Department that these works will not increase noise breakout before the works are commenced.
12. From 2300 hours until the premises closes, SIA door stewards shall monitor the external areas and ensure that patrons behaving in a noisy manner are either asked to leave or asked to return inside the premises.
13. SIA door stewards positioned at the exits shall take all reasonable steps to ensure that patrons leave the premises in a quiet respectful manner and do not congregate outside the premises.
14. A management scheme shall be put in place to prevent excessive queuing into the street and particularly into Park Lane.
15. Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties.



16. Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.
17. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
18. The placing of refuse such as bottles in to skips outside the premises shall take place at times that will prevent disturbance to nearby properties and the movement of bins and rubbish outside the premises shall be kept to a minimum after 2200 hours.
19. Delivery of kegs, bottles, food and other materials shall be carried out between the hours of 0930 hours and 1730 hours weekdays.
  - a) The licensee shall ensure that staff leaving the premises after a late night shift will conduct themselves in a manner as not to disturb nearby residents.
20. There shall be no use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas.
21. The roof terrace will close at:
  - Sundays – midnight, except on Sundays of Bank Holiday Weekends when the terrace will close at 0300 hours on the Monday morning.
  - Monday and Tuesdays – midnight.
  - Wednesdays – the terrace will close at 0200 hours on the following day (i.e. Thursday).
  - Thursday - midnight
  - Fridays and Saturdays – the terrace will close at 0300 hours on the following days (i.e. Saturday and Sunday mornings)
22. Other than recorded background music, no live or amplified music shall be permitted on the roof terrace area at any time.
23. The volume of background music played on the roof terrace area must be set and maintained at a level that is agreed by a Torbay Council Environmental Health Officer.
24. Background music on the roof terrace area must cease at 0200 hours and shall switch off automatically.
25. After 2300 hours, the number of patrons permitted to use the roof terrace area shall be limited to a maximum of 80 patrons at any one time.

26. Patrons shall not be permitted to take drinks onto the roof terrace area after 2300 hours.
27. All patrons consuming drinks on the roof terrace area must cease doing so at 2300 hours and arrangements must be in place by the Premises Licence Holder for all glasses to be cleared from that area at 2300 hours. Those patrons wishing to continue drinking must be advised to do so inside the Premises.
28. Patrons who behave in a noisy or disorderly manner on the roof terrace area shall be removed from that area and where appropriate asked to leave the Premises. Details of this noisy or disorderly conduct shall be recorded in a log book and where appropriate, details of the patron(s) causing the noise or disorderly conduct shall be recorded in that log book too.
29. Signage must be displayed in the roof terrace area to remind patrons to keep noise to a minimum, warning customers who are excessively noisy or disorderly that they will be removed from that area and potentially the Premises.
30. If Torbay Council receives a complaint of noise nuisance emanating from the Premises and an Environmental Health Officer of Torbay Council deems noise nuisance to exist and the upholds the complaint, the Premises Licence Holder shall on receiving written confirmation of that complaint from Torbay Council:
  - (a) Co-operate with Torbay Council's Environmental Health Officers and implement remedial measures to the satisfaction of the Environmental Health Officers immediately or as reasonably practicable to do so, as determined by the Environmental Health Officer; and
  - (b) Where remedial action cannot be identified and remediated to the satisfaction of the Environmental Health Officer, the roof terrace area shall be closed to all patrons at 2000 hours until such time that the noise nuisance can be identified and the necessary remedial work can be carried out.
31. The roof terrace is to have a solid perimeter wall of at least eight feet, with the exception of the Torwood Street elevation where it shall be six feet. The wall is to have a density of at least 10 kilograms per square meter with no gaps.
32. Non sound reflective surfaces shall be used on the walls and floor where practically possible.

#### Public Safety

1. The fire safety measures with which the premises are provided shall be maintained in good working order, and their adequacy shall be determined on a regular basis by the carrying out of a fire risk assessment as required

by and in accordance with the Fire Precautions Regulations.

2. In the event of evacuation caused by failure of general lighting, the public shall not be readmitted until the general lighting is fully restored.
3. The premises shall undertake to maintain a safe occupancy level.
4. Where crowd management measures are needed, all reasonable steps shall be taken to ensure that such persons do not obstruct exits, yards, passageways, stairways and ramps and that portable barriers shall be provided to prevent crushing and keep queues in an orderly fashion.
5. Suitable and clearly identifiable areas for dancing must be set aside, and separate from the dance area suitable means of providing cool air/ventilation and adequate seating must be provided.
6. Suitable and sufficient sanitary accommodation must be provided, clearly marked and in good order at all times.
7. No explosive or highly inflammable material shall be brought into the premises.
8. No pyrotechnics shall be used on the premises.
9. Lasers must not be used on the premises without consultation with the Licensing Authority and compliance with HS(G) 95.

#### The Protection of Children from Harm

1. No persons under the age of 18 shall be employed in connection with the sale of alcohol after 2300 hours.
2. Persons under the age of 18 shall be required to vacate the premises by 2200 hours, unless they are attending an under 18 event.
3. Persons under the age of 18 shall not be allowed into the Nightclub on the first floor at anytime unless attending an under 18 event.
4. Suitable food and non-alcoholic beverages shall be available at all times that children are allowed on the premises.
5. All bar staff shall be suitably trained to prevent the sale of alcohol to under 18's.
6. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 shall be requested to provide an approved form of identification bearing a photograph.

7. **Under 18 events may take place to which the following conditions shall apply:**
- 7.1 These events shall finish no later than 2300 hours, after which there will be a 30 minute period before re-opening to over 18's.
- 7.2 The Police shall be notified in writing or email at least 14 days prior to the event.
- 7.3 SIA door stewards must be employed throughout the event, which shall include at least one female steward. All stewards shall have undergone Disclosure & Barring Service check.
- 7.4 All promotional material relating to alcohol shall be removed.
- 7.5 All alcohol shall be locked and or obscured from view.
- 7.6 All gaming machines with prizes shall be unplugged and locked.
- 7.7 Any person refusing to be searched shall be refused entry.
- 7.8 The event shall be promoted to ages 14 and above.
- 7.9 Foreign student events shall be restricted to foreign students only.
- 7.10 Throughout under18 events, the DPS or personal licence holder must be present.

**Reasons for Decision:**

Having carefully considered all the written and oral Representations, Members resolved to grant the licence having been satisfied that the 73 conditions stated in their decision would seek to promote the Licensing Objectives. In addition, Members did not anticipate that granting this application would add to the problems of crime and disorder and/or public nuisance in the area, as in accordance with the Licensing Authority's Licensing Statement of Principles 2011.

In coming to that decision, Members had regard to the written and oral Representation of Torbay Council's Public Protection Officer which supported the application and noted that the Applicant had engaged in significant consultation with this Officer prior to submitting his application, the contents of which included that recommended by the Officer.

Members also had particular regard to the Officers submission that following the grant of a previous variation application in July 2014, the department had received no complaints about the operation of these premises; that the Applicant had been operating the proposed changes in the application before them under Temporary Event Notices with no complaint and that there had been a number of representations made by Interested Parties who attended the hearing in 2014 and that it was a positive testament to the Applicant that none of those residents were here today.

Members also noted the absence of any Representation from Devon and Cornwall Constabulary's Licensing Department and accepted the submission of the Applicant that he had consulted with the relevant Officers of that department prior to submitting his application. In light of this, Members drew the inference that the Police had no concerns regarding this application.

Members gave careful consideration to the Representation submitted on behalf of the Interested Parties whose residential properties were in close proximity to the premises. Members resolved that the intention of the application to facilitate a winding down period was in their opinion, beneficial to such properties in respect of patrons being dispersed from a late night licensed premise which is situated in an area of mixed use and central to the Borough's night time economy.

Members also had specific regard to each relevant point submitted in the Brecher Solicitors letter dated 26 August 2015. In particular, that set out in section 3. When questioned in respect of this, the nominated representative was unable to give any real evidence of complaint, as he had only been asked to attend the meeting two days earlier. It was submitted by the representative that it was his clients' belief that the change will cause a problem and would hinder future development of the building. On the points that Members were able to alleviate such concerns, they were satisfied that the contents of the 73 conditions addressed this and were reassured that there was no evidence before them that the Applicant had breached his previous premises licence conditions.

In concluding, Members noted that should issues arise as a result of this grant, that both Interested Parties and the Responsible Authorities could call a Review of this Premises Licence.

---

Chairman

# Agenda Item 6



Report No: Public Agenda Item: **No**

Title: **Review of Torbay Council Issued Driver's Licence**

Wards Affected: **All**

To: **Licensing Sub-Committee** On: **22 October 2015**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Steve Cox**  
Telephone: **01803 208034**  
E.mail: **[Steve.cox@torbay.gov.uk](mailto:Steve.cox@torbay.gov.uk)**

---

## 1. What we are trying to achieve

- 1.1 This report concerns a Torbay Council Licensed Driver who has been found guilty for an offence of violence. Members of the Licensing Committee are requested to consider whether the licensed driver currently remains a 'fit and proper person' to continue to hold a Torbay Council Driver's Licence.

## 2. Recommendation(s) for decision

- 2.1 There is no officer recommendation.

## 3. Key points and reasons for recommendations

- 3.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- 3.2 Sections 51 and 59 Local Government (Miscellaneous Provisions) Act 1976 respectively state that a district council shall not grant a licence to drive a private hire vehicle or hackney carriage unless they are satisfied that the driver is a 'fit and proper person to hold a driver's licence'.
- 3.3 Section 61 Local Government (Miscellaneous Provisions) Act 1976 states that a district council may suspend or revoke or refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on any of the following grounds:—
- (a) that he has since the grant of the licence—
    - (i) been convicted of an offence involving dishonesty, indecency or violence; or

(ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act; or

(b) any other reasonable cause.

- 3.4 On the 20<sup>th</sup> August 2015 Mr Jud Boyle was convicted of Assault by Beating. This he pleaded guilty to. On the 21<sup>st</sup> August 2015 Torbay Council was advised by Mr Boyle of the outcome of that court sentence. This offence was not committed whilst he was working. The details of the outcome of the case are shown in the Court Memorandum of Conviction. See Appendix One. This shows that a Community Order, a Restraining Order and a Compensation Order was imposed, along with financial sanctions as a direct result of the Drivers attendance at Court.
- 3.5 There is no officer recommendation. It is therefore for the Committee to consider the seriousness of the offence and whether Mr Boyle remains a 'fit and proper person' to continue to hold a Torbay Council Driver's Licence. To assist Members in coming to that decision, the author of this report has included with the report the Memorandum of Conviction from the Court for consideration of the sentence given and a written response received from Mr Boyle on the 4<sup>th</sup> October 2015 by email. See Appendix Three.
- 3.6 There is a right of Appeal against the Licensing Sub-Committees decision to the Magistrates' Court within 21 days from the date of a Notice following the decision.

**For more detailed information on this proposal please refer to the Supporting Information.**

**Frances Hughes**

Assistant Director Community and Customer Services

## Supporting information to Report

### A1. Introduction and history

A1.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.

A1.2 Sections 51 and 59 Local Government (Miscellaneous Provisions) Act 1976 respectively state that a district council shall not grant a licence to drive a private hire vehicle or hackney carriage unless they are satisfied that the driver is a 'fit and proper person to hold a driver's licence'.

A1.3 Section 61 Local Government (Miscellaneous Provisions) Act 1976 states that a district council may suspend or revoke or refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on any of the following grounds:—

(a) that he has since the grant of the licence—

(i) been convicted of an offence involving dishonesty, indecency or violence; or

(ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act; or

(b) any other reasonable cause.

A1.4 On 18<sup>th</sup> August 2015, Torbay Council was advised by Mr Boyle that he was due to attend Court on the 20<sup>th</sup> August 2015 with regard to a charge of Assault by Beating. This he pleaded guilty to. On the 21<sup>st</sup> August 2015 Torbay Council was advised by Mr Boyle of the outcome of that sentence. This offence was not committed whilst he was working. The details of the outcome of the case are confirmed in the Court Memorandum of Conviction. This shows that a Community Order, a Restraining Order and a Compensation Order was imposed, along with financial sanctions as a direct result of the Drivers attendance at Court.

A1.5 On the 23<sup>rd</sup> September 2015 a letter was sent to Mr Boyle giving him the opportunity to include any information within this committee report regarding the recent conviction. See Appendix One. A response was received from Mr Jud Boyle on the 4<sup>th</sup> October 2015 by email. See Appendix Two.

A1.6 Torbay Council's Hackney Carriage & Private Hire Licensing Policy states;

*In setting out its Policy, the Licensing Authority seeks to promote the following objectives:*

- *The safety and health of drivers and the public;*
- *Vehicle safety, comfort and access;*
- *To prevent crime and disorder and to protect the public;*
- *To encourage environmental sustainability.*

*Public safety is paramount, and this Licensing Authority seeks to ensure through its licensing regime that all taxi and private hire vehicles are fit for purpose and that their drivers and/or operators are fit and proper persons.*



A1.7 Torbay Council's Hackney Carriage & Private Hire Licensing Policy goes on to say;

**1 General Policy**

1.1 *Each case will be decided on its own merits.*

1.2 *The Licensing Authority has a duty to ensure, so far as possible, that applicants are 'fit and proper' persons to hold licences and in the absence of a judicially approved definition of "fit and proper", the Licensing Authority use the test of:*

*"Would the Officer charged with the ability to grant a licence allow their son or daughter, spouse or partner, mother or father, grandson or granddaughter, or any other person for whom they care, to get into a licensed vehicle with the applicant alone"*

*The wording of this test originates from Button, J. T. H. (1999), Taxis – Licensing Law and Practice, Butterworths, London.*

1.3 *The overriding consideration is the safety of the public. The Licensing Authority has a duty to ensure so far as possible that those licensed to drive hackney carriage and private hire vehicles are suitable persons to do so, that they are safe drivers with good driving records and adequate experience, sober, courteous, mentally and physically fit. An aspect of this is the extent to which previous convictions, including but not limited to convictions of dishonesty, sexual offences, traffic offences, violence and drugs, indicate that a person is not a 'fit and proper' person and would not take advantage of passengers or abuse or assault them.*

A1.8 On the matter of violence the policy goes on to say

3.6 *A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s), which replace the offences below and the conviction, is less than 5 years old prior to the date of application:*

- *Assault occasioning actual bodily harm*
- *Common assault*
- *Affray*
- *Criminal damage*
- *Harassment*
- *Or any similar offences (including attempted or conspiracy to commit offences), which replace the above*

3.7 *In the case of a licensed driver being convicted of any of the above offences, the Licensing Authority may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 5 years free from the date of conviction has elapsed.*

A1.9 Mr Boyle has been a licensed taxi driver with Torbay Council for 12 years. During that time, there have been very few matters brought to the Council's attention which have concerned Mr Jud Boyle. There was one incident on the 26<sup>th</sup>

November 2013, in which Mr Boyle was involved. Although he was the victim of an assault on that occasion, there were a number of matters brought to the Councils attention leading up to that event, which resulted in four drivers being warned in writing about their future conduct, of which Mr Boyle was one.

A1.10 There is no officer recommendation. It is therefore for the Committee to consider the seriousness of the offence and whether Mr Boyle remains a 'fit and proper person' to continue to hold a Torbay Council Driver's Licence. To assist Members in coming to that decision, the author of this report has included with the report the Memorandum of Conviction from the Court for consideration of the sentence given, a written response received from Mr Boyle on the 4<sup>th</sup> October 2015 by email and confirmation of the record held by Torbay Council of Mr Boyle whilst he has been a Licensed Driver.

A1.11 There is a right of Appeal against the Licensing Sub-Committees decision to the Magistrates' Court within 21 days from the date of a Notice following the decision.

## **A2. Risk assessment of preferred option**

### **A2.1 Outline of significant key risks**

A2.1.1 Given that Mr Boyle has never committed such an offence whilst on duty in the 12 years he has been licensed by Torbay Council, there is a limited risk that he may commit a similar offence whilst working as a licensed driver should he remain a licensed driver.

A2.1.2 If Mr Boyle's Torbay Council issued Drivers Licence is revoked; there is a risk of an Appeal to the Magistrates' Court.

## **A3. Options**

A3.1 The options are:

- (i) to formally warn Mr Jud Boyle.
- (ii) to suspend Mr Jud Boyle's Torbay Council Driver's Licence to allow for any 'appropriate training/counselling
- (iii) to revoke Mr Jud Boyle's Torbay Council Driver's Licence with or without immediate effect.
- (iv) to do nothing.

## **A4. Summary of resource implications**

A4.1 There are some resource implications if there is an Appeal to the Magistrates' Court.

**A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 There are no equalities or environmental sustainability issues. However, should Mr Jud Boyle continue to work as a Torbay Council Licensed Driver, there is, albeit limited, a risk of crime and disorder for the public, for the reason sets out in A2.1.1 above. .

**A6. Consultation and Customer Focus**

A6.1 There has been no public consultation on this matter and there is no requirement for the Committee to consult the public in this matter.

**A7. Are there any implications for other Business Units?**

A7.1 There are no implications for other business units.

**Annexes**

Appendix 1 Letter to Mr Jud Boyle dated 23<sup>rd</sup> September 2015

Appendix 2 Email from Mr Jud Boyle dated 4<sup>th</sup> October 2015

**Documents available in members' rooms**

**None**

**Background Papers:**

The following documents/files were used to compile this report:

Torbay Council's Hackney Carriage & Private Hire Licensing Policy 2012

# Agenda Item 6

## Appendix 1



Please reply to: Mr Steve Cox

**Community Safety**

c/o Town Hall  
Castle Circus  
TORQUAY  
Devon  
TQ1 3DR

---

Mr J Boyle  
(address removed)

---

**My ref:** R:221313/SJC  
**Your ref:**  
**Telephone:** 01803 208025  
**Website:** [www.torbay.gov.uk](http://www.torbay.gov.uk)  
**Date:** 23 September 2015

---

Dear Mr Boyle

**Re Conviction of Assault from Beating**

I am writing to you regarding your above conviction on the 20<sup>th</sup> August 2015, which you advised the Licensing Authority of at the time.

It is normal practice for all those who receive convictions of this nature to have their Torbay Council issued Drivers Licence reviewed by Licensing Committee.

I am therefore writing to you to invite you to submit any information that you may wish the committee to consider when reading my report into the incident. It is unlikely that I will be making any recommendation as the policy remains discretionary as to whether the Licence is revoked or not.

If I could ask you to submit to me, in writing, anything you wish to be added to that report by Monday 5<sup>th</sup> October 2015.

If you have any enquiries then please contact myself or Craig Noble.

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

Yours sincerely

Mr Steve Cox  
Environmental Health Manager Commercial  
Licensing and Public Protection

*Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.*

**Cox, Steve**

---

**From:** Cox, Steve  
**Sent:** 08 October 2015 22:36  
**To:** Cox, Steve  
**Subject:** UNCLASSIFIED: FW: R:221313/SJC

---

**From:** jud boyle [mailto:]  
**Sent:** 04 October 2015 17:37  
**To:** Cox, Steve  
**Cc:** Cox, Steve  
**Subject:** R:221313/SJC

Dear Mr Cox,

Thank you for giving me the opportunity to add some information that may be relevant to your report.

My recent conviction is an isolated domestic incident that occurred under unique circumstances. This has never happened before and will never happen again.

I have been a Taxi Driver for Sixteen years with a clean record and no complaint from a member of the public.

I am Chairman of the local Taxi Association and elected by its members. In a recent meeting I declared my conviction and asked the committee to decide on my future within the association. They voted unanimously for me to carry on with my role as chairman.

I currently Drive for Torbay Cab Company. The Directors are also aware of my conviction and are happy for me to carry on with my position.

Recent events have been very painful and strenuous for me. I suffered a heart attack in July, shortly after the incident that lead to my conviction. This resulted in me having to take time off work. I have now returned to work and almost back to full time hours. If I was to lose my license I would be facing considerable hardship and would struggle to keep my head above water.

I have never been a danger or a threat to any member of the public and this conviction does not change that. You have my assurance there will be no further incident that would bring me to the attention of the committee.

With these points said, I ask you please, do not revoke my licence.

I will be happy to answer any questions you may have.

Thanks,

Jud Boyle

# Agenda Item 7



Report No: Public Agenda Item: **Yes**

Title: **Conviction of Torbay Council Licensed Driver's of Road Traffic Act offence**

Wards Affected: **All**

To: **Licensing Sub-Committee** On: **22 October 2015**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Steve Cox**  
Telephone: **01803 208034**  
E.mail: **[Steve.cox@torbay.gov.uk](mailto:Steve.cox@torbay.gov.uk)**

---

## 1. What we are trying to achieve

- 1.1 This report concerns a Torbay Council Licensed Driver who has pleaded guilty and been convicted of an offence under Section 3 Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988. Namely, 'driving without due care and attention'. Members of the Licensing Committee are requested to consider whether the licensed driver remains a 'fit and proper person' to hold a Torbay Council issued Driver's Licence.

## 2. Recommendation(s) for decision

- 2.1 There is no officer recommendation. However, should the decision be for Mr Anthony Ryan to retain his Torbay Council issued Driver's Licence, then it is recommended that Mr Anthony Ryan undertakes a Driving Standard Assessment within 3 months of this hearing date, as set out in Torbay Council's Hackney Carriage (Taxi) & Private Hire Policy.

## 3. Key points and reasons for recommendations

- 3.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- 3.2 Sections 51 and 59 Local Government (Miscellaneous Provisions) Act 1976 respectively state that a district council shall not grant a licence to drive a private hire vehicle or hackney carriage unless they are satisfied that the driver is a 'fit and proper person to hold a driver's licence'.

- 3.3 Section 61 Local Government (Miscellaneous Provisions) Act 1976 states that a district council may suspend or revoke or refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on any of the following grounds:—
- (a) that he has since the grant of the licence—
    - (i) been convicted of an offence involving dishonesty, indecency or violence; or
    - (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act; or
  - (b) any other reasonable cause.
- 3.4 Torbay Council is in receipt of information, in the form of an article from the Herald Express dated the 12<sup>th</sup> September 2015 which states that Mr Anthony Ryan had “pleaded guilty to driving without due care and attention, contrary to Section 3 of the Road Traffic Act 1988 and Schedule 2 the Road Traffic Offenders Act 1988. He was fined £500 with £285 additional costs and issued with 7 penalty points on his driver’s licence. Mr Anthony Ryan did not report this matter to Torbay Council, contrary to the requirement in the Council’s Hackney Carriage and Private Hire Policy which Mr Anthony Ryan received as part of the licensing process.
- 3.5 On the 23<sup>rd</sup> September 2015 a letter was sent to Mr Anthony Ryan giving him an opportunity to provide information to be included within this committee report about both the conviction and the failure to comply with the Policy requirement. Torbay Council received a letter from Mr Anthony Ryan, dated the 28<sup>th</sup> September 2015.
- 3.6 Mr Anthony Ryan has been a licensed driver with Torbay Council since December 2010, during which time one complaint has been reported to the Council. The complaint related to allegations about Mr Anthony Ryan’s driving but no action was taken at that time.
- 3.7 There is no officer recommendation. However should the decision be for Mr Anthony Ryan to retain his Torbay Council issued Driver’s Licence, then it is recommended that Mr Anthony Ryan undertakes the Driving Standard Assessment within 3 months of this hearing date, as set out in Section 5.10 of Torbay Council’s Hackney Carriage (Taxi) & Private Hire Policy.

**For more detailed information on this proposal please refer to the Supporting Information.**

**Frances Hughes**

Assistant Director Community and Customer Services

## Supporting information to Report

### A1. Introduction and history

- A1.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- A1.2 Sections 51 and 59 Local Government (Miscellaneous Provisions) Act 1976 respectively state that a district council shall not grant a licence to drive a private hire vehicle or hackney carriage unless they are satisfied that the driver is a 'fit and proper person to hold a driver's licence'.
- A1.3 Section 61 Local Government (Miscellaneous Provisions) Act 1976 states that a district council may suspend or revoke or refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on any of the following grounds:—
- (a) that he has since the grant of the licence—
    - (i) been convicted of an offence involving dishonesty, indecency or violence; or
    - (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act; or
  - (b) any other reasonable cause.
- A1.4 Torbay Council is in receipt of information in the form of an article from the Herald Express dated the 12<sup>th</sup> September 2015 which states that Mr Anthony Ryan had "pleaded guilty to driving without due care and attention, contrary to Section 3 of the Road Traffic Act 1988 and Schedule 2 the Road Traffic Offenders Act 1988. He was fined £500 with £285 additional costs and issued with 7 penalty points on his drivers licence. See Appendix one. The details of the Magistrates Court hearing are confirmed in the Memorandum of an Entry dated 1<sup>st</sup> September 2015.
- A1.5 Mr Anthony Ryan did not report this matter to Torbay Council, contrary to the requirement set out in Section 9.3, Appendix One of the Council's Hackney Carriage and Private Hire Policy which Mr Anthony Ryan received as part of the licensing process. The Policy says:
- Convictions of any description committed by both hackney carriage proprietors, private hire drivers and operators during the duration of their licence must be declared to the Licensing Authority in writing immediately and in any case no later than 7 days.*
- A1.6 On the 23<sup>rd</sup> September 2015 a letter was sent to Mr Anthony Ryan giving him an opportunity to provide information to be included within this committee report about both the conviction and the failure to comply with Section 9.3, Appendix One of Torbay Council's Hackney Carriage and Private Hire Policy. See Appendix two. Torbay Council received a letter from Mr Anthony Ryan, dated the 28<sup>th</sup> September 2015 and this is included within this report. See Appendix three.
- A1.7 Mr Anthony Ryan has been a licensed driver with Torbay Council since December 2010, during which time one complaint has been reported to the



Council. The complaint related to allegations about Mr Anthony Ryan's driving but no action was taken at that time.

A1.8 Torbay Council's Hackney Carriage & Private Hire Licensing Policy says

**1 General Policy**

1.1 *Each case will be decided on its own merits.*

1.2 *The Licensing Authority has a duty to ensure, so far as possible, that applicants are 'fit and proper' persons to hold licenses and in the absence of a judicially approved definition of "fit and proper", the Licensing Authority use the test of:*

*"Would the Officer charged with the ability to grant a licence allow their son or daughter, spouse or partner, mother or father, grandson or granddaughter, or any other person for whom they care, to get into a licensed vehicle with the applicant alone"*

*The wording of this test originates from Button, J. T. H. (1999), Taxis –*

*Licensing Law and Practice, Butterworths, London.*

1.3 *The overriding consideration is the safety of the public. The Licensing Authority has a duty to ensure so far as possible that those licensed to drive hackney carriage and private hire vehicles are suitable persons to do so, that they are safe drivers with good driving records and adequate experience, sober, courteous, mentally and physically fit. An aspect of this is the extent to which previous convictions, including but not limited to convictions of dishonesty, sexual offences, traffic offences, violence and drugs, indicate that a person is not a 'fit and proper' person and would not take advantage of passengers or abuse or assault them.*

1.4 *Simply remaining free from convictions will not generally be regarded as sufficient evidence that a person is a 'fit and proper' person to hold a licence. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public. The following examples afford a general guide on the actions to be taken where convictions are admitted or discovered.*

A1.9 The offence of driving with due care and attention is a major traffic offence. The Hackney Carriage & Private Hire Licensing Policy says:

**8 Major traffic offences**

8.1 *If an applicant has live endorsements or has been disqualified from driving in respect of major traffic offences then the application will be normally be refused until at least five years after the most recent such convictions.*

8.2 *In the case of a licensed driver being convicted of a serious road traffic accident, the Licensing Authority may suspend or revoke the licence or an application to renew the licence being refused. If a licence is revoked, no further*

*application will be considered until a period of at least 5 years free from the date of conviction has elapsed.*

8.3 A list of major traffic offences can be seen in table 2.

A1.10 Torbay Council's Hackney Carriage & Private Hire Licensing Policy requires current drivers who obtain over six penalty points to undertake a Driving Standard Assessment within 3 months. The Policy says:

*5.10 Licensed drivers, as a profession, have a responsibility for the safe transportation of fare-paying passengers. Therefore, the Licensing Authority as part of its application procedure requires a Driving Standard Assessment of the drivers' ability and must be obtained by all new applicants. Similarly, where an existing licensed driver receives over 6 (six) endorsement/s or penalty points within each licensing year the Licensing Authority will require that person to undertake the same assessment. If this is not obtained within 3 months, then the existing licensed drivers badge will be suspended until the necessary driving standards assessment is completed.*

A1.11 There is no officer recommendation. However should the decision be for Mr Anthony Ryan to retain his Torbay Council issued Driver's Licence, then it is recommended that Mr Anthony Ryan undertakes the Driving Standard Assessment within 3 months of this hearing date, as set out in Section 5.10 of Torbay Council's Hackney Carriage (Taxi) & Private Hire Policy.

A1.12 There is a right of Appeal against the Licensing Sub-Committees decision to the Magistrates' Court within 21 days from the date of a Notice following the decision.

## **A2. Risk assessment of preferred option**

### **A2.1 Outline of significant key risks**

A2.1.1 Having pleaded guilty, Mr Anthony Ryan has been convicted of an offence contrary to Section 3 of the Road Traffic Act 1988 and Schedule 2 the Road Traffic Offenders Act 1988. If Mr Anthony Ryan retains his Torbay Council issued Drivers Licence, there may, as a result of this isolated offence, be a small risk that Mr Anthony Ryan may commit a similar offence in the future.

A2.1.2 If Mr Anthony Ryan's Torbay Council issued Drivers Licence is suspended or revoked then there is a risk of this decision being appealed.

## **A3. Options**

A3.1 The options are:

- (i) to revoke Mr Anthony Ryan's Torbay Council Driver's Licence, without immediate effect;
- (ii) to revoke Mr Anthony Ryan's Torbay Council Driver's Licence, with immediate effect;
- (iii) to suspend Mr Anthony Ryan's Torbay Council Driver's Licence.

- (iv) to issue Mr Anthony Ryan with a warning; and/or
- (v) require Mr Anthony Ryan to undertake a Driving Standard Assessment within 3 months of this hearing date, as set out in Section 5.10 of Torbay Council's Hackney Carriage (Taxi) & Private Hire Policy..
- (vi) to do nothing.

**A4. Summary of resource implications**

A4.1 There are some resource implications if there is an Appeal to the Magistrates' Court.

**A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 There are no equalities, environmental sustainability or crime and disorder issues.

**A6. Consultation and Customer Focus**

A6.1 There has been no public consultation on this matter and there is no requirement for the Committee to consult the public in this matter.

**A7. Are there any implications for other Business Units?**

A7.1 There are no implications for other business units.

**Annexes**

Appendix 1 Herald express article dated 12<sup>th</sup> September 2015

Appendix 2 Letter to Mr Anthony Ryan dated 23<sup>rd</sup> September 2015

Appendix 3 Letter from Mr Anthony Ryan dated 28<sup>th</sup> September 2015

**Documents available in members' rooms**

**None**

**Background Papers:**

The following documents/files were used to compile this report:

Torbay Council's Hackney Carriage & Private Hire Licensing Policy 2012

# Torquay taxi driver claims sat nav cause him to drive wrong way on dual carriageway

By [Herald Express](#) | Posted: September 12, 2015



•

A TORQUAY taxi driver caused a crash after he followed his sat nav and ended up driving the wrong way along a dual carriageway early one morning.

Anthony Ryan, 58, of Osprey Drive, did a U turn on the A30 dual carriageway and ended up driving towards oncoming traffic. He then did a second U turn to go to the aid of the driver he had caused to crash into the central reservation.

Ryan, a self-employed cabbie, admitted careless driving on the A30 near Exeter, Devon, in May when he appeared in court.

He told Exeter Magistrates' Court he lost his bearings in the pitch dark after hitting major roadworks on Telegraph Hill and Splatford Split.

He said he was driving an intoxicated female passenger from Torquay to Exeter but she was unsure of where she was heading.

"I got confused," he said: "I had one eye on the sat nav. The lady was not sure where she was going. I was driving along and the sat nav told me to turn round.

"I did a U turn like a silly man. I did not overtake any cars coming towards me."

He said he drove for about a quarter of a mile the wrong way down the dual carriageway before a driver braked heavily and swerved to avoid him and struck the barrier leaving him with minor wounds and whiplash.

Prosecutor Lyndsey Baker said Ryan had got on to the A30 the wrong way after 'losing his bearings'.

His tipsy passenger claimed he passed up to three vehicles going in the right direction before he made his second U turn to face the right way again – something he denied.

District Judge Stephen Nicholls said: "It was a serious matter."

He fined him a total of £785 and put seven points on his driving licence but Ryan escaped a ban which would have ruined his business.

Read more: <http://www.torquayheraldexpress.co.uk/Torquay-taxi-driver-claims-sat-nav-cause-drive/story-27785026-detail/story.html#ixzz3oLrh5RRU>

Follow us: [@TQHeraldExpress on Twitter](#) | [theheraldexpress on Facebook](#)

Please reply to: Mr Craig Noble

**Community Safety**

c/o Town Hall  
Castle Circus  
TORQUAY  
Devon  
TQ1 3DR

---

Mr A W J Ryan  
(Address removed)

---

**My ref:** R:222355/CAN  
**Your ref:**  
**Telephone:** 01803 208025  
**Website:** www.torbay.gov.uk  
**Date:** 23 September 2015

---

Dear Mr Ryan

It has come to our attention via the local Press that you have recently attended Court and been found guilty of driving offences. As these offences are serious offences I am writing to advise you that the matter is to be referred to the Licensing Committee for their consideration.

In order for the matter to be properly dealt with I need some information from you. Can you please advise why you never reported this matter to the Licensing Team and made us aware of the action which was been taken against you and why you have still not made contact with us despite the matter being reported in the local press. Your driver's handbook clearly states you must inform us of any action being taken against you and the result of that action. I need you to advise us of the exact offences you were charged with and what action the Court took in relation to these offences. I also need your permission for us to check with the DVLA the status of your driving licence.

You should respond to this letter, in writing, as soon as possible but in any case no later than Thursday 1<sup>st</sup> October 2015. Once we have received this information a report will be prepared for the Licensing Committee, you will receive a copy of this report. You should also take this opportunity to give us any other information which you believe may be relevant which can be added to the report.

We will write to you again at a future date giving you the time and date of the Committee hearing. You will have the opportunity to attend the hearing and speak to the Committee.

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

Yours sincerely

Mr Craig Noble  
Licensing Enforcement Officer  
Licensing and Public Protection

*Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.*



Mr. CRAIG NOBLE,  
COMMUNITY SAFETY,  
c/o TOWN HALL  
CASTLE CIRCUS  
TORQUAY  
TQ1 3DR



MR. A. RYAN,  
[REDACTED]  
TORQUAY,  
[REDACTED]  
28/9/15

RE. LETTER OF 23RD SEPTEMBER.

Dear Craig,

First of all it was not my intention to <sup>not</sup> inform you of the incident I forgot that I had to, it has been a while since I have read the booklet.

I was charged by the police for driving without due care and attention. The Magistrate put seven points on my license and a fine of £785 of which I am paying off in instalments. You have my permission to check with the DVLA the status of my driving license.

On the night in question I picked up my passenger a job given to me by Price First Taxis from Derwent road to Royal Crescent Exeter. My passenger and I had no knowledge where Royal Crescent was so we were using the Sat Nav on the P.D.A. and my car's inboard

As we were nearing Exeter the night ~~control~~ controller informed me (Page 31) had a follow up



job in Exeter. The PDA then changed to the follow up job leaving me with just the inboard Sat Nav for Royal Crescent.

I then found that Telegraph Hill was closed off and was directed onto the A38 at Spalford Spitts. It was all closed off making me totally reliant on the inboard Sat Nav.

It informed to turn onto the A30 after entering the A30 it then informed me to turn around without thinking I did as directed. At the time it was pitch black with no other traffic around.

On turning around I found two cars heading towards me. One car swerved to avoid me. I then realized what I had done stopped as soon as it was safe to do so and went back to see if I could help and wait for the police and Ambulance.

Afterwards I asked the night controller why he had changed the job and he informed me he thought my client knew where she was going?

Craig I believe if the job had still been on the PDA with the map I would never have taken the wrong direction and the incident would never have happened.

I am, yours sincerely