

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY SUB COMMITTEE D** held on 13 February 2018 at 2.00 pm

Present Councillors

Mrs G Doe, P H D Hare-Scott and
D J Knowles

Also Present Councillor(s)

D R Coren

Also Present Officer(s):

Thomas Keating (Lead Licensing Officer), Maria De
Leiburne (Solicitor) and Julia Stuckey (Member Services
Officer)

1 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies for absence.

2 CHAIRMAN - ELECTION

RESOLVED that Cllr Mrs G Doe be elected Chairman of the Sub Committee for the meeting.

Cllr Mrs G Doe then took the Chair.

3 A HEARING TO DETERMINE WHETHER OR NOT AN APPLICANT IS FIT AND PROPER TO HOLD A HACKNEY CARRIAGE / PRIVATE HIRE DRIVER LICENCE

The Members, officers and applicant introduced themselves.

There were no interests to declare.

Prior to consideration of a report * from the Group Manager for Public Health and Regulatory Services considering whether an applicant for hackney carriage / private Hire driver could be considered 'fit and proper' to hold a licence, the Sub Committee discussed whether or not the Hearing should be held in public or private. Members considered that the circumstances of the case would be likely to reveal the identity of the applicant. The following resolution was therefore passed:

ACCESS TO INFORMATION ACT – EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that under section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 and 2 of Part 1 of Schedule 12A of the Act, namely information relating to any individual, information which is likely to reveal the identity of an individual.

The Licensing Officer outlined the contents of the report, explaining the responsibility of the Local Authority and informing the applicant where the Hackney Carriage and Private Hire Policy could be found if required. He explained the key aims and objectives of the hearing, the priority being the protection of public health, which was highlighted in the policy, along with the prevention of crime and disorder.

The Sub Committee withdrew to consider additional information that had not been available to them prior to the meeting.

On their return the Sub Committee put questions to the applicant.

Having reflected on the evidence presented to them the Sub Committee **RESOLVED** to **REFUSE** the application for a Hackney Carriage/Private Hire Driver Licence;

Reasons for this were:

The Sub Committee resolved to refuse the application as it was in breach of policy. The reasons given for this were the seriousness of the previous convictions and a failure to declare them. Having listened to the applicant Members suggested that she reapply when the 5 years had been spent and that she ensure that the paperwork was completed fully. The Sub Committee had no hesitation, given the responses from the applicant, that she could carry out the duties of a taxi driver but had concerns regarding her ability to understand and complete future paperwork.

(Proposed by Cllr Mrs G Doe and seconded by Cllr P H D Hare-Scott)

Note: - i) Report * previously circulated and attached to Minutes.

ii) Cllr D J Knowles requested that his vote against the final decision be recorded.

(The meeting ended at 4.00 pm)

CHAIRMAN