

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY SUB COMMITTEE D** held on 6 October 2020 at 1.00 pm

Present Councillors

Mrs F J Colthorpe, J Cairney and L D Taylor

Also Present Officer(s):

Simon Newcombe (Group Manager for Public Health and Regulatory Services), Sarah Lees (Member Services Officer), Maria De Leiburne (Legal Services Team Leader), Carole Oliphant (Member Services Officer) and Deborah Sharpley (Solicitor)

4 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies

5 ELECTION OF CHAIRMAN

Cllr L Taylor was elected Chairman of the Sub Committee

6 REMOTE MEETING PROTOCOL

The Sub Committee had before it, and **NOTED**, the *remote meeting protocol

Note: *Remote meeting protocol previously circulated and attached to the minutes

7 ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that under Section 100A (4) of the local Government Act 1972, the public be excluded from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act, namely information relating to an individual.

(Proposed by the Chairman)

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

Members of the Sub Committee and officers introduced themselves.

Cllr J M Cairney declared a Personal Interest as he had used the Taxi company for personal use.

The Group Manager for Public Health and Regulatory Services 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, being the protection of public health and safety and the prevention of crime and disorder (as per Mid Devon policy). He highlighted that the priority is always the safety of the public and the prevention of crime.

He then outlined the history of the case.

The Members of the Sub Committee then questioned the applicant and gave them an opportunity to present their case to them.

The Sub Committee then withdrew to deliberate the case.

The Sub Committee returned and the Chairman made the following statement:

The Sub Committee had taken into account the report of the Licensing Officer, the driver, together with the representations today.

In particular, the Sub Committee noted the following:

- Whether the driver was fit and proper
- The driver had carried out the mandatory safeguarding training as required
- Inappropriate use of the customers personal data
- Level of persistency and opportunities to cease the contact
- The driver was the one in a position of authority
- Messages were inappropriate, the passenger felt intimidated, uncomfortable
- The potential effect on any passengers using the taxi and the public safety
- The driver had not complied with the MDDC Hackney Carriage and Private Hire Licensing Policy
- The driver had no other complaints in the history of 15 years as a driver

It was therefore **RESOLVED** that :

1. The Existing HC/Private Hire Driver Licence be suspended immediately for a period of 2 months
2. That he must carry out safeguarding training prior to the expiry of the suspension period

(The meeting ended at 2.18 pm)

CHAIRMAN