

MINUTES of a **MEETING** of the **REGULATORY SUB COMMITTEE** held on 27 January 2025 at 2.30 pm

**Present
Councillors**

J Buczkowski, M Jenkins and
L G J Kennedy

**Also Present
Officer(s):**

Deborah Sharpley (Legal Services Manager), Harriet Said (Team Leader (Commercial), Public Health), Thomas Keating (Specialist Lead (Licensing) Officer), Amy Sully (Licensing Specialist Officer) and Angie Howell (Democratic Services Officer)

18 ELECTION OF CHAIR

Councillor L G Kennedy was elected as Chair of the Sub-Committee.

19 ACCESS TO INFORMATION - EXCLUSION OF PRESS AND PUBLIC

Prior to consideration of a report from the Corporate Manager for Public Health, Regulation and Housing to consider whether or not a license holder was fit and proper to hold a licence with Mid Devon District Council the Sub-Committee discussed whether or not the hearing should be held in public or private. Members considered the circumstances of the case and agreed that the hearing should be conducted in closed session. 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 of Part 1 of Schedule 12A of the Act, namely information relating to an individual.

20 HEARING TO DETERMINE IF A PERSON IS FIT AND PROPER TO HOLD A HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE

Members of the Sub-Committee and officers introduced themselves.

The Chair confirmed that the Sub-Committee had received and read the relevant paperwork in relation to the application and stated that there were no interests to declare. The key aims and objectives of the Hearing were stated and the safety of the public was explained as being the key priority in considering whether or not an applicant or licence holder was 'fit and proper'. The Sub-Committee needed to satisfy themselves that in all circumstances of the case an applicant or licence holder was a 'fit and proper' person to hold a Licence with Mid Devon District Council.

The Specialist Lead (Licensing Officer) outlined the contents of the report, explaining the responsibility of the Local Authority and the relevant facts in relation to the application.

The Members of the Sub-Committee then listened to the licence holder's presentation of their case, asked several relevant questions by way of clarification and subsequently withdrew to consider their decision.

The Sub-Committee therefore **RESOLVED** that:

1. Four penalty points be applied to the Hackney Carriage/Private Hire Driver Licence for contravening Code D2 "Driver not behaving in a civil and orderly manner".
2. That the driver must carry out safeguarding training prior to the expiry of the licence on 31 July 2025.
3. That in relation to the Hackney Carriage Vehicle Licence a warning be issued as to the driver's future conduct.

The warning to be: that the driver needs to ensure that he is mindful of the Hackney Carriage and Private Hire Licensing Policy and the Code of Conduct at all times. This warning to last for a period of 12 months.

(The meeting ended at 4.23 pm)

CHAIR