

MINUTES of a **MEETING** of the **REGULATORY SUB COMMITTEE** held on 18 September 2025 at 10.00 am

**Present
Councillors:**

J Buczkowski, L J Cruwys and
L G J Kennedy

**Also Present
Officers:**

Deborah Sharpley (Legal Services Manager), Sarah
Hargreaves (Solicitor), Phil Wortley (Licensing Officer) and
Angie Howell (Democratic Services Officer)

27 ELECTION OF CHAIR

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

28 ACCESS TO INFORMATION - EXCLUSION OF PRESS AND PUBLIC

Prior to consideration of a report from the Head of Housing and Health 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.

29 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 Licences with Mid Devon District Council.

The 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 **RESOLVED** to:

1. Take no action in relation to the Combined Hackney Carriage/Private Hire Driver Licence and the Private Hire Operator Licence.
2. In relation to the Hackney Carriage/Private Hire Vehicle Licences the Sub-Committee has decided to adjourn the matter for 3 months to allow the procedures/systems and considerations that you have identified as needing to be put in place and/or reviewed to be carried out.

In 3 months' time the Licensing Team will conduct a review and report back to the Sub-Committee as to whether the procedures/systems have been put in place and are functioning effectively to avoid future vehicle maintenance concerns; including reviewing any re-test results.

If that report is positive then no further action will be considered.

However, if that report is not positive the matter will be returned to the Sub-Committee for re-consideration.

Reason for the decision:

The Sub-Committee noted the following from the Council's Hackney Carriage & Private Hire Vehicle policy:

- Public safety was the sole consideration when making its decisions.
- Licensees must consider the safety, security and welfare of their passengers, customers and the public generally (including the taxi drivers) when determining what safeguarding measures they should put in place in relation to their activities as a licensee.
- All licensees are professionals undertaking a highly responsible activity which protects and ensures the safety of their passengers, customers, other road users and the public at large.

Further, the Sub-Committee was concerned about the history of this matter and the number of concerns that have arisen over time and for which it does not appear, appropriate remedial action has been taken to resolve.

The Sub-Committee felt that an opportunity should be given on this occasion to provide evidence to the Council to demonstrate commitment to making improvements.

Lastly, the Sub-Committee would strongly recommend that any emails with attachments that are sent to the Council are followed up with a separate email to advise that documents have been sent and requesting confirmation of receipt.

(The meeting ended at 1.08pm)

CHAIR