

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY SUB COMMITTEE E** held on 9 November 2015 at 2.00 pm

Present

Councillors Mrs F J Colthorpe, T G Hughes and L D Taylor

Also Present

Councillors D R Coren and Mrs G Doe

Present

Officers Simon Newcombe (Public Health and Professional Services Manager), Simon Johnson (Legal Services Manager), Jacqueline Taylor (Licensing Officer) and Sarah Lees (Member Services Officer)

1 Apologies and Substitute Members

There were no apologies for absence.

2 Chairman - Election

RESOLVED that Cllr T G Hughes be elected Chairman of the Sub Committee for the meeting.

Cllr Hughes then took the Chair.

3 To determine an application for a Hackney Carriage / Private Hire Driver Licence

The Members and officers present introduced themselves.

There were no interests to declare.

Prior to consideration of a report of the Head of Human Resources and Development regarding an application which had been received for a hackney carriage / private hire driver 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 as well as details relating to his or her personal life and business affairs. 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 section 100l and paragraph 1, 2 and 3 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 and information relating to the financial or business affairs of any particular person (including the authority holding that information).

The Public Health and Professional Services Manager outlined the contents of the report and the relevant facts of the case. The Legal Services Manager provided some relevant case law and reminded the Sub Committee that a decision would need to be made having regard to the Licensing Authority's policy on such matters.

Having reflected on the evidence presented to them the Sub Committee:

RESOLVED that the application be granted for a period of six months. A renewal application at the expiry of that time must then fulfil the requirements of the 'new' application procedure. This means that the following documents must be submitted to the Licensing Authority as part of the renewal application:

- References
- Disclosure & Barring Service (DBS) Certificate
- Group II Medical Certificate
- Driver and Vehicle Standards Agency (DVSA) taxi assessment
- Interview including the testing of local geography knowledge, legislation and numeracy

Reasons:

Having heard the evidence in relation to the circumstances, the Sub Committee considered that the applicant was a 'fit and proper' person to hold a Hackney Carriage and Private Hire Vehicle Licence. Furthermore the Sub Committee considered that the personal circumstances pertaining at the time of the offences were relevant in what was a 'rare' case.

The applicant had presented his / her case frankly and in a straight forward manner.

The Sub Committee did not consider that there was any risk to public safety in the granting of this licence.

(The meeting ended at 3.45 pm)

CHAIRMAN