

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **REGULATORY SUB COMMITTEE C** held on 4 November 2017 at 10.00 am

### **Present Councillors**

K Busch, Mrs G Doe and L D Taylor

### **Also Present Councillor(s)**

D R Coren

### **Also Present Officer(s):**

Thomas Keating (Lead Licensing Officer), Philip Langdon (Solicitor), Simon Newcombe (Public Health and Professional Services Manager) and Julia Stuckey (Member Services Officer)

## 1 **CHAIRMAN - ELECTION**

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

Cllr Mrs Doe then took the Chair.

## 2 **TO DETERMINE WHETHER OR NOT AN APPLICANT WAS 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 Director of Corporate Affairs and Business Transformation 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, being the protection of public health and 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 licence on the grounds that the applicant was not a fit or proper person.

Reasons for this were:

- The applicant's character showed a lack of judgment and vulnerability and the Sub Committee was satisfied that he may not be able to exercise appropriate judgement when dealing with vulnerable people and that he may not act in a professional manner.
- The evidence for this was contained in the reports before the Sub Committee, which the applicant did not dispute the accuracy of.
- The Sub Committee considered the principles of the protection of public health and safety and the prevention of crime and disorder had been engaged in this case.

Note: - Report previously circulated.

(The meeting ended at 12.00 pm)

**CHAIRMAN**