

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING SUB-COMMITTEE B of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 16th September 2014 at 9.15 a.m.

PRESENT: Members:

Councillor Biederman – (Chairman)

Councillors Clark (substitute for Councillor Fowler) and Mathews (substitute for Councillor Tucker).

Councillor Wilkinson attended the meeting as a Substitute Member.

Officers:

Head of Contentious Law (TB), Service Lead - Licensing (KN) and Member Services Officer (JG).

(a) APPOINTMENT OF CHAIRMAN

RESOLVED, that (in the absence of the Chairman) Councillor Biederman be appointed Chairman.

(b) APOLOGIES FOR ABSENCE

No apologies for absence were received.

(c) DECLARATIONS OF INTEREST

There were no declarations of interest announced.

(d) EXCLUSION OF PUBLIC AND PRESS AND RESTRICTION OF DOCUMENTS

RESOLVED:

- (i) That, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item as it involved the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

- (ii) That all documents and reports relating to the item be confirmed as “Not for Publication”.

(e) APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND A PRIVATE HIRE DRIVER’S LICENCE – REFERENCE MRTPR

The Chairman introduced himself, Members of the Sub-Committee, Officers present and the applicant before outlining the nature of the hearing.

The Service Lead for Licensing outlined a report (circulated previously) regarding an application for the grant of a Hackney Carriage and a Private Hire Driver’s Licence and advised that the application had been properly made.

The applicant addressed the Sub-Committee providing a brief overview of the caution he had received in 2012. He advised that he was not a violent person, however recognised that he had made mistakes in his past which he had since learnt from. More recently he had channeled his energies into charitable work and exercise and improvements to his life and career opportunities.

Upon questioning the applicant confirmed that he had previously undertaken security work and in 2009 been awarded the SIA doorman’s badge which entailed a four day training course at the local college covering how to deal with difficult situations.

In response to a specific question the applicant advised that he would seek to avoid conflict in future but where necessary, call the police authority.

The Service Lead for Licensing summed up and made reference to the options available to the Sub-Committee in determining the application as set out on page three of the report.

The applicant summed up by emphasising his priority for the safety and comfort of his passengers, confirming that he was no threat to the public and was very much seeking to improve his situation in life.

RESOLVED that everyone be excluded from the meeting with the exception of Members, the Legal representative and Committee Clerk in order to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED that everyone be re-admitted to the meeting.

The Chairman requested that the Member Services Officer read the decision of the Sub-Committee, which was voted upon and agreed.

RESOLVED that the application for the grant of a Hackney Carriage and a Private Hire Driver’s Licence (reference MRTPR) be approved.

In reaching its decision, the Sub-Committee considered that the applicant had learnt from his previous experience in 2012.

The Chairman reminded the applicant of appendix H of the Licensing Policy and advised that any future breaches may result in the him being brought before the Sub-Committee again with the potential of a less favourable outcome.

Chairman

The meeting ended at 9.40 a.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Licensing Committee.