

**NORTH DEVON COUNCIL**

Minutes of a meeting of the LICENSING SUB-COMMITTEE C of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Friday 20<sup>th</sup> June 2014 at 10.00 a.m.

PRESENT: Members:

Councillor Hunt (Chairman)

Councillors Clark and Tucker (Substitute for Councillor Turner).

Councillor Biederman attended the meeting as a Substitute Member.

Officers:

Head of Contentious Law (TB), Regulatory Services Officer (PF) and Member Services Co-ordinator (KS).

**(a) APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**(b) DECLARATIONS OF INTEREST**

There were no declarations of interest announced.

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- (ii) That all documents and reports relating to the item be confirmed as "Not for Publication".

**(d) APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE – REFERENCE MRRD.**

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

The Regulatory Services Officer outlined a report (circulated previously) regarding an application for the grant of a Hackney Carriage and Private Hire Driver's Licence (reference MRRD). He advised that the application was properly made and supported with the necessary DBS check, which revealed that the applicant had no unspent recorded convictions. However, the check had revealed four spent convictions from a period of 2004 until 2007. The spent conviction in particular in 2007 was of a serious nature for which the applicant received a nine month prison sentence. Officers believed whilst this was a spent conviction, it was of relevance to the consideration by the Sub-Committee as to whether or not the applicant was a fit and proper person to hold the licences applied for.

The applicant addressed the Sub-Committee. He explained the circumstances in relation to the spent convictions and the nature of the offences that he was involved in.

Members of the Sub-Committee questioned the applicant.

The Licensing Officer summed up.

The applicant summed up.

The applicant's representative addressed the Sub-Committee in support of the applicant.

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 Co-ordinator read the proposed decision, which was voted upon and agreed.

In considering the application, the Sub-Committee gave weight to the fact that the convictions were over five years ago and welcomed the applicants openness and honesty in his answers to the Members questions. They also noted that the applicant had been gainfully employed for the last five years.

RESOLVED that the application for a Hackney Carriage and Private Hire Driver's Licence (reference MRRD) be approved.

Chairman

The meeting ended at 10.20 a.m.

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