

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Sub Committee A held as a Virtual - Online meeting on Thursday, 29th October, 2020 at 11.00 am

PRESENT: Members:

Councillor Tucker (Chair)

Councillors L. Spear and D. Spear

Officers:

Senior Solicitor/Monitoring Officer, Acting Lead Officer (Licensing) and Corporate and Community Services Officer

5. VIRTUAL MEETING PROCEDURE - BRIEFING AND ETIQUETTE

The Corporate and Community Services Officer outlined the virtual meeting procedure and etiquette to the Sub-Committee and attendees, as well as confirming who was present.

6. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

7. EXCLUSION OF PUBLIC AND PRESS 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 items as they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to any individual.
- (i) That all documents and reports relating to the following item be confirmed as "Not for Publication".

8. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE- REF PFND0010

Also present: Applicant and Representative of Applicant.

The Chair introduced himself and those present. The Senior Solicitor outlined the process of the hearing.

The Acting Lead Officer (Licensing), gave a summary outline of his report (circulated previously), regarding an application for the grant of a Hackney Carriage and Private Hire Driver's Licence (Ref PFND0010) and confirmed that the application had been properly made.

The Applicant's Representative addressed the Sub-Committee, she explained the nature of the work she carried out and that the Devon Wide programme the Applicant was part of was funded in part by the National Lottery. They were a Social Enterprise organisation and helped people overcome barriers and move into employment. In relation to the Applicant the Representative gave the Sub-Committee a background of the Applicant's previous lifestyle and reasons for circumstances leading to the numerous convictions. She went on to explain her own personal experience of the Applicant as his support worker and the progress and resilience he had demonstrated to get to where he was today.

The Applicant requested that the three references written in support of his application be read out to the Sub-Committee, which the Sub-Committee were happy to hear.

Members of the Sub-Committee questioned the Applicant and Applicant's Representative and in response to their questions the following responses were given:

- His most recent employment was physically demanding and a knee injury meant he was struggling to continue that line of work
- His application process to become a taxi driver had started in February 2020 just before the Covid-19 pandemic and subsequent lockdown had halted plans
- The reason for the most recent conviction was due to a minor disagreement and advice from a legal representative to plead guilty
- His new lifestyle meant that he led a much quieter life and rarely drank alcohol. His commitment to family meant he was in a better environment that didn't involve drinking
- The offer of work he had had from a local company would involve a lot of student contracts to colleges and schools, this was particularly in demand as a result of Covid-19 and the need for more social distancing.

The Acting Lead Officer (Licensing) summed up.

The Applicant and Applicant's Representative summed up.

RESOLVED, that everyone be excluded from the meeting with the exception of Members, the Senior Solicitor and Committee Clerk in order for the Sub-Committee 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 Chair requested that the Corporate and Community Services Officer read the proposed decision, which was voted upon and agreed.

RESOLVED, that the Application for the Grant of a Hackney Carriage and Private Hire Driver's Licence (reference PFND0010) be granted.

The Sub-Committee had given this very difficult application careful consideration and appreciated the references written in support of the Applicant. They considered the 18 convictions horrendous but felt they believed that the Applicant had made strenuous efforts to turn his life around in a positive way. They were happy to grant the Private Hire and Hackney Carriage licences for the 12 months applied for but did warn that if any complaint were made or issues arose the Applicant would more than likely have to appear before Committee.

The chair wished the Applicant well in the future and thanked everyone for attending.

Chair

The meeting ended at 12.24 pm

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