

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Sub Committee C held as a Virtual - Online meeting on Tuesday, 26th January, 2021 at 11.00 am

PRESENT: Members:

Councillor Chesters (Chair)

Councillors Campbell, and Luggar

Officers:

Senior Solicitor/Monitoring Officer and Licensing Service Lead

9. VIRTUAL MEETINGS PROCEDURE - BRIEFING AND ETIQUETTE

The Chair introduced herself, the other Sub-Committee members and Officers present to the Driver.

The Corporate and Community Services Officer outlined the virtual meeting procedure and etiquette to the Sub-Committee and attendees.

10. APOLOGIES FOR ABSENCE

There were no apologies for absence.

11. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

12. 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 in Paragraph 1 of Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to any individual.
- (ii) That all documents and reports relating to the following item be confirmed as "Not for Publication".

13. DISCIPLINARY HEARING OF A HACKNEY CARRIAGE AND PRIVATE HIRE LICENSED DRIVER (REFERENCE HBDD0001)

Also present:

The Driver.

The Service Lead, Licensing presented his report in relation to the Disciplinary Hearing of a Hackney Carriage and Private Hire Licensed Driver (reference HBDD0001), (circulated previously) to the Sub-Committee. In summary, the report highlighted that the licensed driver had acquired 12 penalty points on his DVLA driving licence as a result of three speeding offences within three years. He had not been disqualified by the magistrate's court because his plea of 'exceptional hardship' had been accepted.

The Driver was asked to present his case in which he outlined his situation as sole income earner, the type of contracts he undertook and the mileage he covered over a year. He advised the Sub-Committee that he had very good customer reviews and was sorry for the circumstances that had led to the need for the hearing.

Members questioned the Driver.

The Service Lead, Licensing Officer summed up.

The Driver summed up adding that he was determined he would not be seen again in front of a hearing committee.

RESOLVED, that everyone be excluded from the meeting with the exception of Members, the Legal Representative and the Corporate and Community Services Officer in order for the Sub-Committee to receive 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 on and agreed.

RESOLVED that the Driver undertake an enhanced driving development driving course within nine months and report back to North Devon Council once completed.

The Chair advised the Driver that if any additional points were gained on his licence within 24 months he would appear before this Sub-Committee where his Hackney Carriage and Private Hire licences would likely be revoked.

Chair

The meeting ended at 12.36 pm

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