

WEST DEVON LICENSING SUB- COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Licensing Sub-Committee** held on **Wednesday, 12th December, 2018** at **10.00 am** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Sanders
Vice Chairman

Cllr Baldwin
Cllr Pearce

Cllr Mott
Cllr Roberts

In attendance:

Officers:
Deputy Monitoring Officer
Specialist - Licensing

Also in attendance
The Applicant

12. **Committee to elect a Chairman**

* LSC 12

RESOLVED

That Cllr Sanders be appointed Chairman for the duration of the meeting.

13. **Declarations of Interest**

* LSC 13

The Chairman invited Members to declare any interests in the items of business to be considered during the course of the meeting but there were none made.

14. **Exclusion of the Public & Press**

* LSC 14

RESOLVED

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that exempt information is likely to be disclosed as defined in Paragraph 1 of Schedule 12(A) to the Act."

15. **Determination of the renewal of a Licence**

* LSC 15

The Sub Committee considered an exempt report that sought to determine whether or not to renew a hackney carriage and private hire driver licence.

The Licensing Officer proceeded to present the application and the content of the report.

The applicant put forward their case.

Members proceeded to ask several questions of the applicant.

At 10.34 am (once all parties were content that they had no further issues and/or questions to raise), the Sub-Committee adjourned in the presence of the Deputy Monitoring Officer to consider the application. The Sub-Committee then reconvened at 11.50 am and the Chairman announced the decision.)

It was then:

RESOLVED

That the Sub-Committee has considered very carefully the application to renew the Hackney Carriage and Private Hire Driver Licence.

The Sub-Committee has read the Licensing Officer's report (which the applicant has also had sight of) and has read the details on court record, taking into consideration the nature of the offence and when this was committed.

The Sub-Committee has also listened very carefully to the submissions made to this meeting.

The main priority of the licensing regime is to ensure public safety. As this is a civil matter, the evidence of proof is based on the balance of probabilities, the onus being on yourself to satisfy the Authority that you are a 'fit and proper person' to continue to drive a Hackney Carriage or Private Hire Vehicle.

The Committee has decided to GRANT the renewal of your Joint Hackney Carriage and Private Hire Driver Licence. This decision is based on:

- Your previous good record; and
- Your genuine remorse and acknowledgement of the seriousness of the one conviction.

This decision is subject to a satisfactory medical report being given to the Licensing Officer prior to renewal of licence being issued.

The Meeting concluded at 11.50 am

Signed by:

Chairman
