

WESTMORLAND AND FURNESS COUNCIL REGULATORY SUB COMMITTEE

Minutes of a Meeting of the **Regulatory Sub-Committee** held on Thursday, 4 April 2024 at 9.30 am at District Council Chamber - Kendal Town Hall - Kendal Town Hall, Lowther Street, Kendal, LA9 4DQ

PRESENT:

Cllr R Audland
Cllr T Callister
Cllr H Irving

Officers in attendance:

Ms R Ireland	Trainee Solicitor
Ms D McCarthy	Licensing Specialist
Mr A Moffatt	Democratic Services
Mr T Smith	Licensing Specialist

**PART I ITEMS CONSIDERED IN THE PRESENCE OF THE
PUBLIC AND PRESS**

13. ELECTION OF A CHAIRMAN

Councillor H Irving nominated Cllr R Audland as chair for this meeting, and was seconded by Councillor T Callister.

A vote was taken and it was

RESOLVED, that Councillor R Audland be elected as Chair for this meeting.

14. APOLOGIES AND RECONSTITUTION OF MEMBERSHIP

No apologies for absence were reported, therefore no reconstitution of Membership was required.

15. DECLARATION OF INTERESTS

No declarations of interest were raised.

16. EXCLUSION OF PRESS AND PUBLIC

Members proposed that the meeting move into Part II to consider the remainder of the items on the agenda.

RESOLVED, that the press and public be excluded from the meeting by virtue of paragraphs 1 and 2 of part one of schedule 12A of the Local Government Act 1972.

PART II

17. INTRODUCTIONS

The Chair made introductions and read out the procedure for the meeting.

18. APPLICATION FOR A HACKNEY CARRIAGE DRIVER LICENCE CONTRARY TO CONVICTIONS POLICY

The Licensing Specialist presented the report, which related to an Application for a Hackney Carriage Drivers Licence contrary to the Convictions Policy.

Members were provided with full details of the application, as set out in the report.

Members raised a query relating to the application.

The applicant presented their case to Members.

No questions were raised by Members.

The Sub-Committee, supported by the Legal, Governance and Democracy Specialist (Trainee Solicitor), then withdrew at 09.39 a.m. to consider the application.

The meeting reconvened at 09.49 a.m.

The Legal, Governance and Democracy Specialist (Trainee Solicitor) communicated the Sub-Committee's decision.

Having heard the statements made orally by the Applicant, and based on the submitted report, and having had regard to the Statutory Standards, the Regulatory Sub-Committee:

RESOLVED – That the Application be granted for a Hackney Carriage Driver's Licence.

The reasons for the decision of the Regulatory Sub-Committee were:

Upon consideration of the question of:-

Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night.

Based on the balance of probabilities, the Sub-Committee's answer to this question was yes. The Sub-Committee noted that the two cautions were in 2018, over 5 years ago, and deemed that the Applicant was a fit and proper person.

The decision notice and the written reasons for the decision will be confirmed in writing to all parties within five working days of the meeting.

The meeting ended at 9.50 am