

Minutes of the Licensing Sub-Committee

14 December 2023

-: Present :-

Councillors Douglas-Dunbar, Tolchard and Long

20. Election of Chairman/woman

Councillor Douglas-Dunbar was elected as Chairwoman for the meeting.

21. Application for Torbay Council Driver's Licence

Members considered a report that set out relevant facts relating to an applicant for a Torbay Council issued dual Hackney Carriage and Private Hire Driver's Licence. Members were requested to determine based on the facts before them, whether or not the applicant of the dual Hackney Carriage and Private Hire Driver's Licence was a fit and proper person to hold such licence.

At the Hearing the Applicant addressed Members and responded to their questions.

Decision:

That Mr Woodall's application for a dual Torbay Council Driver's Licence, be approved.

Reason for Decision

In coming to that decision, Members carefully considered having been charged with the responsibility to determine the drivers' licence, whether they would allow their son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person to whom they care, or any other vulnerable person known to them to get into a vehicle with Mr Woodall alone. An unequivocal and unanimous answer by Members to this question, was 'yes'.

After consideration of Mr Woodall's advanced written submission, and upon hearing his oral submission at the sub-committee meeting, Members were impressed by Mr Woodall's openness, honesty, and the clear and concise manner in which he set out the circumstances that, whilst traumatic for him, had resulted in his positive change of mindset and had caused him to assess his priorities since his conviction in June 2014.

Members heard that the events experienced by Mr Woodall, particularly in recent years, had been the catalyst for change and considered that he had shown genuine focus and commitment to providing for his family and moving away from what Mr Woodall described as 'Jack the Lad' behaviour.

Members noted that Mr Woodall had a clean driving licence and that seven and a half years had elapsed since his conviction in June 2014, during which he experienced events, that for some, would have negatively impacted their behaviour. However, these events by Mr Woodall's own admission, acted as a wakeup call and spurred him on to reflect, change, and focus on his children and to support and provide for them in their higher education.

Members were also impressed by Mr Woodall's level of commitment to becoming a licenced taxi driver, by having recently voluntarily undertaken, and successfully completed, an advanced driving course and in having arranged finance to purchase a vehicle. Members further noted Mr Woodall's career of 35 years as a self-employed plasterer, recognising that he would have been in a position of trust working within people's homes, and fully accepted Mr Woodall's reason for a change of career in that he was becoming less physically able.

Members all agreed that they found Mr Woodall to be genuine and forthcoming when sharing the events that had taken place in his life, and concluded, having heard Mr Woodall's oral representation that he would uphold the professional standards they expect of a driver licensed by them, that he was a fit and proper person to hold a Hackney Carriage Drivers Licence and therefore saw reasonable justification to depart from Torbay Council's Hackney Carriage and Private Hire Licensing Policy, in approving this application.

In concluding, Members were also reassured that should Mr Woodall fail to comply with the Torbay Council Hackney Carriage and Private Hire Licensing Policy, that a review of his licence could be called.

Chairman/woman