

# **TORBAY COUNCIL**

**Please reply to:** Mr Shaun Rackley

Licensing & Public Protection  
Town Hall  
Castle Circus  
Torquay  
Devon  
TQ1 3DR

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Mr T Frost



**Email:** Shaun.rackley@torbay.gov.uk

**Telephone:** 01803 208025

**Website:** www.torbay.gov.uk

**Date:** 28<sup>th</sup> December 2022

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Dear Mr Frost,

## **Local Government (Miscellaneous Provisions) Act 1976 – Notification of potential conviction**

I am writing to you regarding your ongoing Court case and your failure to supply the Licensing department with relevant information about your case.

Although you have notified the Licensing department regarding your Court dates from early 2022, it has come to light that at your latest Court hearing on the 21<sup>st</sup> of October 2022, you pleaded guilty to assaulting a female occasioning her actual bodily harm. At no point during discussions with the Licensing department have you supplied this information about a guilty plea. This information has been obtained from Devon Live around the Courts webpage. Details of this are shown below:

### ***OCTOBER 21***

***Timothy Paul, Frost, Foxhole Road, Paignton. Age: 41. On 31/10/2021 at Newton Abbot assaulted a female occasioning her actual bodily harm. Plea: Guilty. Remanded on bail until 30/11/2022 for pre-sentence report.***

Because you have pleaded guilty to the offence and are awaiting sentencing which is due to take place on the 6<sup>th</sup> of February 2023, I am referring this matter to Torbay Council's Licensing Committee for consideration as to whether you remain a fit and proper person to hold a Licensed Drivers badge with this Local Authority.

I stress the importance of timely and detailed information being supplied to me that I may then put before Committee for consideration. I request that you submit any information that you consider relevant which you would like presented to members, including any mitigating circumstances surrounding your case, in writing to the address above, or, via email to [shaun.rackley@torbay.gov.uk](mailto:shaun.rackley@torbay.gov.uk), by no later than **Tuesday 3<sup>rd</sup> January 2023**.

A Licensing sub-committee hearing has been set for **Thursday 26<sup>th</sup> of January 2023 at 09:30 hrs**. Once I have written the report which will be presented to members, I will

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**If you require this in a different format or language, please contact me.**

forward a copy onto you along with an official invite. At this hearing, you will have the opportunity to present your case and answer any questions that members may have.

I look forward to receiving the requested information in due course.

Yours sincerely



Shaun Rackley  
Licensing Officer  
Licensing and Public Protection

*Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.*