

SOUTH HAMS LICENSING COMMITTEE



Minutes of a meeting of the **South Hams Licensing Committee** held on **Thursday, 16th May, 2024** at **11.00 am** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Rake
Vice Chairman Cllr Carson

Cllr Abbott
Cllr Dommett
Cllr Oram
Cllr Taylor (as substitute)

Cllr Allen
Cllr Hancock (as substitute)
Cllr Presswell
Cllr Thomas

In attendance:

Legal Advisor to the Committee
Licensing Officer
Senior Democratic Support Officer

10. **Minutes of last meeting**

L10/23

The minutes of the meeting of the Licensing Committee held on 18 January 2024 and the Licensing Sub-Committee held on 18 April 2024 were confirmed as a correct record.

11. **Division of Agenda**

L11/23

RESOLVED

“That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act”

12.

Determination of whether to grant a Hackney Carriage and Private Hire driver licence

L12/23

Consideration was given to an exempt report that asked the Committee to determine whether an individual was a 'fit and proper person' to hold a Hackney Carriage/Private Hire Driver Licence in accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Specialist introduced the report, and the individual was invited to make representations to the Committee. At the conclusion of their address, Members of the Committee asked a series of questions.

Once all parties were satisfied that they had no more questions or issues to raise, the Committee adjourned at 11.31 am in the presence of the Solicitor.

Having fully considered the matter, the meeting was then re-convened at 12.10 pm and the Chairman read the decision as follows:

As a Licensing Committee, we have carefully considered the application for a new Hackney Carriage and Private Hire Joint Driver licence made under the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, Part II and other relevant Legislation and have specifically considered:

- Our own Taxi Licensing Policy;
- Our Code of Good Conduct for Hackney Carriage and Private Hire drivers;
- The Government guidance issued under the Act;

In reaching our decision, we have taken account of the convictions disclosed on your application along with the additional convictions undisclosed at the time of applying, the omission of these convictions and the evidence and comments made today.

It is our decision to refuse this application. A decision the committee came to by majority vote, on the balance of probabilities when considering if you are a fit and proper person.

As you have been refused a License you have the right to appeal against a Licensing Committee decision to the Magistrates Court within 21 days of notification of the Committee's decision. The Officer will send the information to you.

The Meeting concluded at 12.11 pm

Signed by:

Chairman
