

SOUTH HAMS LICENSING COMMITTEE



Minutes of a meeting of the **South Hams Licensing Committee** held on
Thursday, 11th January, 2018 at 12.00 pm at the **Dining Room - Follaton House**

Present: **Councillors:**

Chairman Cllr May
Vice Chairman Cllr Holway

Cllr Baldry
Cllr Brown
Cllr Hopwood
Cllr Rowe

Cllr Blackler
Cllr Cuthbert
Cllr Pringle

In attendance:

Councillors:

Officers:
Senior Specialist – Licensing
Specialist – Licensing
Solicitor

11. **Minutes**
L.11/17
The minutes of the meeting of the Licensing Committee held on 12 October 2017 and the Licensing Sub-Committee meeting held on 12 October 2017 were both confirmed as a correct record and signed by the Chairman.
12. **Declarations of interest**
L.12/17
Members were invited to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

13. **Exclusion of Public and Press**

L.13/17

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”

14. **Determination of Whether an Applicant for a Hackney Carriage and Private Hire Driving Licence is a 'Fit and Proper Person'**

L.14/17

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 Section 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. He presented a written reference which was shared with the Committee. At the conclusion of his 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 12.25pm in the presence of the Solicitor.

Having fully considered the matter, the meeting was then re-convened at 12:40pm and the Chairman read the decision as follows:

Members of the Licensing Committee have considered very carefully your application for a Hackney Carriage and Private Hire Driver Licence

- We have read the Licensing Officer's report, which you have had sight of and the SHDC taxi licensing policy
- We have taken into consideration that you have no previous offences shown on your UK DBS certificate of DVLA record
- We have listened to the reference you have provided and listened very carefully to what you have told us today
- 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 drive a Hackney Carriage or Private Hire Vehicle.

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

1. This interview we have had with you and your openness

2. You have told us that you have travelled in and out of your home country with your passport without encountering difficulties with the authorities
3. We have applied the balance of probabilities test regarding whether you are a 'fit and proper person' and we would have no concerns regarding a member of any of our families travelling in a car with you.

15. **Re-admittance of Public and Press**
L.15/17

RESOLVED

That the public and press be re-admitted to the meeting.

16. **Review of Proposed Licensing Charges in Relation to Taxi Licensing**
L.16/17

Members were presented with a report that set out proposed fees and charges in relation to taxi licensing and sought approval to present those fees for public consultation, prior to recommendation to full Council.

The Licensing Senior Specialist introduced the report and responded to queries.

It was then:

RESOLVED

1. That, having reviewed the proposed Fees Table, a period of public consultation in accordance with s70 of the Local Government (Miscellaneous Provisions) Act 1976 be approved; and
2. That full Council be **RECOMMENDED** that the proposed fees be adopted with effect from 1 April 2018, subject to the outcome of the public consultation.

The Meeting concluded at 12.45 pm

Signed by:

Chairman
