

**MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD AT
FOLLATON HOUSE, TOTNES ON THURSDAY 18 JANUARY 2024**

MEMBERS

- * Cllr S Rake - Chairman
- * Cllr J Carson - Vice-Chairman

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|--|---|------------------|
| * Cllr V Abbott | ∅ | Cllr G Pannell |
| * Cllr G Allen | * | Cllr S Penfold |
| ∅ Cllr Dommett | ∅ | Cllr A Presswell |
| * Cllr C Oram | * | Cllr D Thomas |
| * Cllr T Edie (substituting
for Cllr G Pannell) | | |

- * Denotes attendance
- ∅ Denotes apology for absence

Officers in attendance and participating:
Lawyer (via MS Teams); Licensing Officer; and Senior Democratic Support Officer

L.7/23 MINUTES

The minutes of the meeting of the Licensing Committee held on 9 November 2023 and the Licensing Sub-Committee also held on 9 November 2023 were confirmed as a correct record subject to the change of membership for the Licensing Sub-Committee which should read Cllr Carson (Chair), Cllr Penfold and Cllr Abbot.

L.8/23 EXCLUSION OF THE PUBLIC AND PRESS

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 3 of Part 1 of Schedule 12A to the Act”

**L.9/23 DETERMINATION OF WHETHER TO GRANT A HACKNEY CARRIAGE
AND PRIVATE HIRE DRIVER LICENCE**

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. 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 10.43 am in the presence of the Solicitor.

Having fully considered the matter, the meeting was then re-convened at 11.18 am 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.
- We have also 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 remain a fit and proper person to hold a joint Private Hire and Hackney Carriage drivers licence.

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

That after consideration of the evidence before us, we believe that you are a fit and proper person to hold a Hackney Carriage and Private Hire Driver Licence, notwithstanding the points accrued on your driving licence.

(Meeting commenced at 10:00 am and concluded at 11:20 am).

Chairman