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SOUTHAMPTON CITY COUNCIL  
LICENSING (GENERAL) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 27 APRIL 2018

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Present: Councillors Mrs Blatchford (Chair), Painton, Parnell and McEwing

Apologies: Councillor Furnell

12. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The apologies of Councillor Furnell were noted.

13. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED** that the minutes of the meeting held on 2 November 2017 be approved and signed as a correct record.

14. **EXCLUSION OF THE PRESS AND PUBLIC**

The Chair moved that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of item 7 based on Categories 1 and 2 of paragraph 10.4 of the Access to Information Procedure Rules. The information contained within the report is potentially exempt as it relates to individual personal details and information held under the Data Protection Act 1998.

**RESOLVED** that having applied the public interest test, the press and public should be excluded from the hearing, it was not appropriate to disclose this information as the individuals' legal expectation of privacy outweighed the public interest in the exempt information.

15. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

**RESOLVED** that the Sub-Committee move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

16. **HACKNEY CARRIAGE DRIVER'S LICENCE**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services to determine whether the driver was a fit and proper person to hold a hackney carriage driver's licence.

The Licensing Enforcement Officer, the driver and his representative were present and with the consent of the Chair addressed the meeting.

The Sub-Committee considered very carefully all the evidence presented at the meeting.

Due regard was given to the Local Government (Miscellaneous Provisions) Act 1976 “the Act” and the guidelines relating to the application of the “fit and proper person” test.

The Sub-Committee considered all the evidence and decided that the driver was not a fit and proper person in accordance with the Act and that the hackney carriage driver’s licence should be revoked.

It was determined that in light of the reasons for the previous decision to exclude the press and public from the hearing and for the report of the Service Director of Transactions and Universal Services to be confidential, the reasons for the decision were also confidential and ought not to be published.