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SOUTHAMPTON CITY COUNCIL  
LICENSING (GENERAL) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 23 DECEMBER 2019

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Present: Councillors McEwing, Renyard, G Galton, Kataria and Streets

Apologies: Councillor Mrs Blatchford

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

The apologies of Councillors Mrs Blatchford and B Harris were noted. In the absence of the Chair, the meeting was chaired by the Vice Chair, Councillor McEwing.

It was noted that the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Kataria as a substitute for Councillor Mrs Blatchford, Councillor G Galton as a substitute for Councillor B Harris and Councillor Streets to the Conservative vacancy on the Licensing (General) Sub-Committee for the purposes of this meeting.

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

**RESOLVED** that the minutes of the meeting held on 20 September 2019 be approved and signed as a correct record.

18. **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 therein is potentially exempt as it relates to individual personal details and information held under data protection legislation.

**RESOLVED** that having applied the public interest test it was not appropriate to disclose this information as the individuals' legal expectation of privacy outweighed the public interest in the exempt information.

19. **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.

20. **HACKNEY CARRIAGE DRIVER LICENCE REVIEW**

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

The Licensing Officer, the applicant and his partner were present and with the consent of the Chair addressed the meeting.

The Sub-Committee has considered very carefully the report of the Service Director – Transactions and Universal Services and all the evidence presented by the Licensing Manager and the applicant.

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 and other consideration of character. The Human Rights Act had been borne in mind whilst making the decision. The Sub-Committee also received legal advice of the Ministry of Justice criteria for the issuing and accepting of simple cautions.

The Sub-Committee considered all the facts and decided that the applicant was a fit and proper person in accordance with the Act and his application for renewal of a hackney carriage driver's licence was granted.

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