



Licensing Sub Committee (Informal)

Tuesday 8th June 2021

10.00 am

Virtual Meeting
Using Zoom meeting software

The following members are requested to attend the meeting:

Wes Read

Andy Soughton

Martin Wale

For further information on the items to be discussed, please contact
democracy@southsomerset.gov.uk

The applicant or any interested parties wishing to address the virtual meeting need to email democracy@southsomerset.gov.uk by 9.00am on Monday 7 June 2021.

This Agenda was issued on Friday 28 May 2021.

Alex Parmley, Chief Executive Officer

**This information is also available on our website
www.southsomerset.gov.uk or via the mod.gov app**

Members Questions on reports prior to the Meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

Information for the Public

The Statutory Licensing Committee has responsibility for all activities under the Licensing Act 2003 and the Gambling Act 2005 except for policies and fees. Established under the Licensing Act 2003, it exercises the functions of the Licensing Authority which itself is the Council.

The Other Licensing Committee can be responsible for all other licensing matters. Established by the Council under discretionary power contained in section 101 of the Local Government Act 1972.

It is lawful for the membership of the two committees to be the same, but they are differently constituted and run under different powers.

Licensing Sub Committee agendas and minutes are published on the Council's website at: <http://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CIId=145&Year=0>

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device and select 'South Somerset' from the list of publishers and then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information can be obtained by contacting the agenda co-ordinator – details are provided on the front page.

Meetings of the Licensing Sub Committee are held as required usually in the Council Offices, Brympton Way - However during the coronavirus pandemic these meetings will be held remotely via Zoom video-conferencing.

At the meeting of Full Council on Friday 15th April 2021 it was agreed to extend the delegation of all Executive and Quasi Judicial decisions listed in the Constitution to the Chief Executive and to the relevant Director in the Chief Executive's absence where not already delegated, in consultation with the Leader of the Council (or Deputy) and the relevant Portfolio Holder, Ward Member and Committee Member if practicable to ensure that the Council can continue to operate on-line meetings.

Councillors will continue to receive decision-making reports and meet using virtual meeting teleconferencing technology and debate the reports. They will form a view which will be communicated to the Chief Executive. The decision will be formally made by the Chief Executive (or relevant Director). This is an interim measure to 31 July 2021 when we hope to return to in-person meetings.

Public participation at meetings (held via Zoom)

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings. The applicant and interested parties are able to participate and

contribute to the meeting, you will need to be able to access the meeting through Zoom at: <https://zoom.us/join>

If you would like to address the meeting, please email democracy@southsomerset.gov.uk by 9.00am on Monday 7th June 2021. When you have registered, an officer will provide the details to join the meeting. The Chairman will invite you to speak at the appropriate time during the virtual meeting.

Each individual speaker shall be restricted to a total of five minutes.

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will unmute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of five minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

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Licensing Sub Committee

Tuesday 8 June 2021

Agenda

Preliminary Items

1. Declarations of Interests

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

2. Agreed procedure to be followed when considering Taxi Licence Reviews

At the meeting of the Licensing Committee held on 3rd August 2004 the following procedure was agreed:

1. Officer to introduce the case and give background to include hearing from any witnesses.
2. Officer and any witnesses to answer any questions either from the Committee or the Applicant.
3. The Applicant or a representative to address the Committee and call any witnesses.
4. The Committee or the Officer to ask any questions of the Applicant or their representative, and any witnesses.
5. The Officer and then the Applicant to be given an opportunity to make any concluding statements.
6. The Officer and the Applicant to leave the room to allow the Committee to reach a decision.
7. The Officer and the Applicant to be recalled to be informed of the decision.

The Committee can either grant the licence or refuse to grant the licence and give reasons for its decision.

3. Exclusion of the Press and Public (Page 6)

4. Hackney Carriage and Private Hire Penalty Point Scheme - at least 12 points issued to an individual licence holder (Confidential) (Pages 7 - 23)



Exclusion of the Press and Public

The Committee is asked to agree that the following item (Agenda Item 4) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 1: “Information relating to any individual for, or recipient or form recipient of any service provided by the authority.” It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

Agenda Item 4

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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