

**MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD AT
FOLLATON HOUSE, TOTNES ON MONDAY 24 MAY, 2010**

MEMBERS

* Cllr J W Squire - Chairman

∅ Cllr P H Cook - Vice-Chairman

* Cllr K J Baldry

* Cllr J H Baverstock

* Cllr J I G Blackler

* Cllr B E Carson

* Cllr R J Carter

* Cllr C W Jones

* Cllr D W May

∅ Cllr C M Pannell

∅ Cllr S L Rankin

* Cllr M F Saltern

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

All Agenda Items: Licensing and Administration Manager, Monitoring Officer and Senior Member Support Officer.

L.1/10 MINUTES

The minutes of the meetings of the Licensing Committee held on 26 November 2009, and of the Licensing Sub Committees held during the period 3 December 2009 to 25 March 2010, were confirmed as a correct record and signed by the Chairman.

L.2/10 CHAIRMAN'S ANNOUNCEMENT

The Chairman advised that the Licensing and Administration Manager would, at the end of the meeting, be circulating a document which detailed the Licensing applications received during the year 2009/2010.

L.3/10 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting. In view of the type of application before the Committee, Cllr May asked for legal advice as to whether he should declare an interest as he owns a motor garage. The Monitoring Officer advised that, as this was an already publicly registered interest, there was no need to declare a further interest.

L.4/10 EXCLUSION OF 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 as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

L.5/10

TO DETERMINE WHETHER AN APPLICANT REQUESTING TO BE REGISTERED AS A MOTOR SALVAGE OPERATOR IS A 'FIT AND PROPER' PERSON TO BE SO REGISTERED

Consideration was given to an exempt report which sought to determine whether an applicant was a fit and proper person to be so registered.

The Licensing and Administration Manager introduced the item and drew Members' attention to the report and appendices, copies of which had been supplied to the applicant. He also explained that a Motor Salvage Operator was required to be registered by the district council unless it considered that the applicant was not a 'fit and proper' person, under specific grounds.

Members asked the applicant questions, and permitted the applicant to make a statement to support his application. In addition, a letter from the applicant's solicitor was circulated.

The Committee took time to consider (in the absence of the applicant and the Licensing and Administration Manager), and it was then:

RESOLVED

That the Committee refuse the application on the grounds that it was not satisfied that the applicant was a fit and proper person to be registered with this Authority as a Motor Salvage Operator.

The Committee gave reasons as follows:
'Although the applicant has no current convictions, the Committee has taken notice of the letter from the Devon & Cornwall Constabulary dated 31 March 2010. The representations in their letter were put to the applicant very specifically and although he denied each of them, the Committee also took into account his demeanour while replying, and were not, in the end, satisfied that he was a fit and proper person to be registered.'

(Meeting commenced at 10.00 am and concluded at 11.10 am).

Chairman