

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on Monday 4 September 2006, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00 am.

1082	Minutes
1083	Chair's Address to the Licensing Committee
1084	Procedure
1085	Private Session
1086	Complaint about behaviour of Hackney Carriage Driver

Present: Councillor C Pearson in the Chair

Councillors: Mrs J Ashton, G Croston, Mrs D Davies, Mrs J Dyson, B Marshall (for Mrs S Duckett), W Norton (for R Sayner), Mrs F Ryan (for Mrs K McSherry) and D Peart.

Officials: Head of Service – Legal and Democratic Services, Licensing Enforcement Officer and Committee Administrator

Public: 0

Press: 0

1080 Apologies for Absence and Substitution

Apologies were received from Councillors R Sayner, Mrs S Duckett and Mrs K McSherry.

Substitute Councillors were Councillors B Marshall (for Mrs S Duckett), W Norton (for R Sayner) and Mrs F Ryan (for Mrs K McSherry).

1081 Disclosure of Interest

None

1082 Minutes

RESOLVED:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 14 August 2006 be confirmed as a correct record and be signed by the Chair.

1083 Chair's address to the Licensing Committee

Due to the Chair of the Committee giving her apologies the Vice Chair of the Meeting had no address to give to Councillors.

1084 Procedure

The Procedure was noted.

The Head of Service – Legal and Democratic Services informed councillors that Mr Dennis, who appealed against a decision taken by the Committee, lost his case at Court held on 25 August 2006 and was awarded to pay the Council costs of £1,070.00.

1085 Private Session

Resolved:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during consideration of the following items as there will be a disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3 of Part 1 of Schedule 12A to the Act.

1086 Complaint about behaviour of Hackney Carriage Driver

Councillors received the report of the Licensing Enforcement Officer in respect of an allegation that the Hackney Carriage Driver refused to take a fare from the rank in James Street, Selby.

The Licensing Enforcement Officer outlined details of the case to councillors and answered questions raised.

The Hackney Carriage Driver admitted the offence but explained that this was as a consequence of his inexperience and the fact that he had witnessed similar behaviour from more experienced drivers. He now deeply regretted his actions and stated it would never happen again.

Councillors were anxious to know the reasons why the fare had been refused. The driver was unable to fully explain his reasons and continued to say he didn't know.

The Meeting was then adjourned for 10 minutes to allow councillors to read a summary of the prosecution file.

The Meeting was then re-convened and the driver was asked further questions in relation to the matter.

The councillors then retired to consider the case and after a full and detailed debate resolved to give the driver a written warning regarding the issue and advice as to his future conduct.

RESOLVED:

- (i) That the Committee find the complaint of wrongfully refusing to take a fare proven;**
- (ii) That the Committee find that there was no reasonable excuse for refusing the fare;**
- (iii) That, although the Committee had the power to suspend or revoke the Licence, and did consider suspension, a written warning be issued in relation to the offence.**

The meeting closed at 11.00 am.