

## SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 11 December 2006, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00 am.

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Present: Councillor R Sayner in the Chair

Councillors: G Croston, Mrs D Davies, J McCartney, C Pearson, D Peart and Mrs F Ryan (for Mrs K McSherry)

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

Public: 0

Press: 0

### 1345 **Apologies for Absence and Substitution**

Apologies were received from Councillors Mrs J Ashton, Mrs S Duckett and Mrs K McSherry.

Substitute Councillor was Mrs F Ryan for Mrs K McSherry.

### 1346 **Disclosure of Interest**

Councillor Mrs D Davies declared a personal interest in Minute No 1353.

### 1347 **Minutes**

#### **RESOLVED:**

**That the minutes of the proceedings of the meeting of the Licensing Committee held on 13 November 2006 be confirmed as a correct record and be signed by the Chair.**

1348 **Chair's Address to the Licensing Committee**

The chair gave no address to the Committee.

1349 **Procedure**

The Procedure was noted.

1350 **Private Session**

**That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, as there will be disclosure of exempt information as defined in paragraph 3 of Part 1 of Section 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.**

1351 **Application for a Hackney Carriage Licence**

Councillors received the report of the Licensing Enforcement Officer in respect of an application for the grant of a Hackney Carriage Licence for a Volkswagen Passat, a vehicle not fully accessible to the disabled.

The Licensing Officer outlined the details of the case.

The applicant outlined the reasons for his application; that his circumstances meant that through financial hardship he could not afford a wheelchair accessible vehicle. The applicant produced accounts for 2004 and 2005 but was not in possession of the latest accounts for 2006.

After a full and detailed discussion took place it was agreed that the application be deferred pending receipt of the applicant's latest accounts and that confirmation be produced that North Yorkshire County Council would withdraw the existing contract if the applicant did not drive a saloon vehicle.

**Resolved:**

**That the application for a hackney carriage licence to drive a vehicle not fully accessible to the disabled, be deferred pending receipt of the applicant's latest accounts, along with confirmation that North Yorkshire County Council would withdraw the existing contract if the applicant did not drive a saloon vehicle.**

1352

### **Complaint about behaviour of a premises licence holder and designated premises supervisor**

Councillors received the report of the Licensing Enforcement Officer in respect of the conduct of a premises licence holder and designated premises supervisor.

On Friday 3 November 2006, premises in Selby were found to be operating a gaming machine without a current permit. The Licence Holder was interviewed and admitted that the permit had lapsed and he had mislaid the reminder and the matter had slipped his mind.

The licence holder revealed to the Committee that having thought about events since his interview, he had realised that the person who had provided him with the gaming machine had given him the impression he did not require a licence.

He was asked if he was prepared to pay the outstanding permit fee and he agreed he would reimburse the Council with a payment of £43.67. He apologised for his conduct.

#### **Resolved:**

**That the applicant receive a written warning as to his future conduct as a premises licence holder and designated premises holder and that a press release be issued warning all other licence holders as to the possible consequences of not renewing gaming machine permits.**

1353

### **Application for a Private Hire Driver's Licence**

Councillors received the report of the Licensing Enforcement Officer with regard to the applicant's desire to be issued with a Private Hire Driver's Licence.

The applicant approached the Licensing Department to apply for a Private Hire Driver's Licence in October 2006 and on processing the application a disclosure from the Criminal Records Bureau (CRB) raised concerns of which the Committee needed to be aware.

The applicant had received a conditional discharge and this would not become 'spent' until five years had elapsed from the date of the conviction, which would be November 2009.

The applicant gave a full and detailed description of why she had received a conditional discharge and councillors were very understanding of the situation.

Councillors considered all the relevant information and agreed that the applicant be granted a Private Hire Driver's Licence.

**Resolved:**

**That the application for a Private Hire Driver's Licence be granted.**

The meeting closed at 11:50 am.