

## SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on Monday 4 June 2007 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: Mrs D Davies, Mrs J Dyson, J McCartney, Mrs K McSherry, C Pearson, Mrs S Ryder, Mrs A Spetch and Mrs D White

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

Public: 0

Press: 0

### 61 **Apologies for Absence and Substitution**

Apologies were received from Councillor Mrs S Duckett.

### 62 **Disclosure of Interest**

None.

### 63 **Minutes**

#### **Resolved:**

**That the minutes of the proceedings of the meeting of the Licensing Committee held on 23 April 2007 be confirmed as a correct record and be signed by the Chair.**

64           **Procedure**

The Procedure was noted.

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

The Chair welcomed all new councillors to the Licensing Committee and hoped they would enjoy their time on Licensing.

66           **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.**

67           **Application for a Hackney Carriage Licence**

The Committee were informed by the Licensing Enforcement Officer that the applicant had brought a letter from his Accountants informing them that the accounts had still not been completed.

It was agreed by the Committee that the application be deferred again until the next meeting of the Licensing Committee which would take place on Monday 9 July 2007 at which time the accounts should be available for inspection and a decision would then be taken.

**Resolved**

**That the application be deferred until Monday 9 July 2007 when the applicant's accounts were available for inspection.**

68           **Application for a Hackney Carriage Licence**

Councillors received the report of the Licensing Enforcement Officer for the grant of a Hackney Carriage Licence for a Rover 75, a vehicle not fully accessible to the disabled.

The Licensing Enforcement Officer outlined the details of the case.

The driver concerned outlined her reasons for the application.

After consideration the Councillors were happy for the application to be approved.

**Resolved:**

**That the application for a hackney carriage licence for a vehicle not accessible to the disabled be approved.**

69

**Consideration of fitness of licensed Private Hire Driver to operate on behalf of Selby District Council**

Councillors received the report of the Licensing Enforcement Officer with regard to the fitness of the applicant to operate as a Private Hire Driver.

Councillors were informed that the applicant had committed an offence for which he had received a police caution. In addition that he had failed to notify the Licensing Department of both the caution and change of address in accordance with conditions on his licence.

After consideration, councillors agreed that the applicant be given a written warning as to his future conduct in relation to the offence for which he had been given a police caution and his failure to notify the Licensing Department of the caution and his change of address.

**Resolved:**

**That the applicant be issued with a written warning regarding his future conduct in relation to the offence for which he had been given a police caution and his failure to notify the Licensing Department of the caution and his change of address.**

70

**Application for Hackney Carriage Driver's Licence**

Councillors received the report of the Licensing Enforcement Officer in respect of the applicant's desire to be issued with a Hackney Carriage Driver's Licence and his fitness to operate as such as a consequence of a CRB disclosure.

The Licensing Enforcement Officer outlined details of the case.

The applicant then outlined details of the incident that caused concern on the CRB disclosure.

After considerable consideration, councillors agreed that the Licensing Enforcement Officer investigate this incident further and that the matter be deferred pending the outcome of that investigation.

**Resolved:**

**That the application be deferred pending further investigation being carried out by the Licensing Enforcement Officer.**

71

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

Councillors received the report of the Licensing Enforcement Officer in respect of the applicant's desire to be issued with a Private Hire Driver's Licence and his fitness to operate as a consequence of a CRB disclosure.

The Licensing Enforcement Officer outlined details of the case.

The applicant then gave details of the concerns raised by the content of the disclosure.

Councillors gave consideration to the full facts regarding this matter and agreed that the applicant be refused a Private Hire Driver's Licence.

**Resolved:**

**That the applicant be refused a Private Hire Driver's Licence.**

72

**Public Session**

73

**Gambling Act 2005 – Setting of Fees**

Councillors received the report of the Head of Service – Legal and Democratic Services to consider the fees for applications under the Gambling Act 2005.

Under the provision of Section 154(2)(b) of The Gambling Act 2005 the Council, as licensing authority, has the discretion to delegate the decision on the setting of fees to the Licensing Committee.

**Resolved:**

**That the report be received.**

**Recommendation:**

- (i) that the level of fees recommended in Annex A be recommended to Council;**

- (ii) that the fees for fast track conversion applications be set at £300;**
- (iii) that Council be requested to delegate the setting of fees under the Gambling Act 2005 to the Licensing Committee.**

The meeting closed at 12.02 pm.