

## SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on Monday 6 August 2007, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10:00 am.

231	Minutes
232	Procedure
233	Chair's address to the Licensing Committee
234	Private Session
235	Complaint about behaviour of Hackney Carriage Driver

Present: Councillor R Sayner in the Chair

Councillors: Mrs D Davies, Mrs J Dyson, Mrs S Duckett, 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, Enforcement Officer and Committee Administrator

Public: 0

Press: 0

### 229 **Apologies for Absence and Substitution**

An apology was received from Councillor J McCartney.

### 230 **Disclosure of Interest**

None.

### 231 **Minutes**

#### **Resolved:**

**That the minutes of the proceedings of the meeting of the Licensing Committee held on 9 July 2007 be confirmed as a correct record and be signed by the Chair.**

232

### **Procedure**

The Procedure was noted.

233

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

The Chair informed Councillors that the report in respect of the Gambling Act would be presented at the meeting to be held on 10 September 2007.

234

### **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.**

235

### **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 to a public house in Ousegate, 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 common practice for Hackney Carriage Drivers 1 – 19 on the rank. If they had a prior booking then the fare would be passed to the next available taxi on the rank. If there was no taxi behind on the rank then the fare would be taken. However, he accepted it was a bad practice and could leave a poor impression upon a potential passenger.

The Committee deliberated over the decision as to whether this driver was a fit and proper person and it was agreed that the driver be given a final warning as to his future conduct.

It was also agreed that a letter be sent to all Hackney Carriage Drivers emphasising that the practice of refusing fares in these circumstances was unlawful and any future breaches could result in court action.

**Resolved: That**

- (i) the hackney carriage driver be given a final written warning as to his future conduct;**
- (ii) a letter be sent to all hackney carriage drivers from the Licensing Enforcement Officer informing them that the practice of refusing fares in these circumstances would not be tolerated and any future cases may be dealt with at Magistrates Court.**

The meeting closed at 11:05 am.