

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on Monday 17 March 2008, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10:00 am.

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| 794 | Minutes |
| 795 | Procedure |
| 796 | Private Session |
| 797 | Complaint about behaviour of Licensed Private Hire Driver |

Present: Councillor R Sayner in the Chair

Councillors: J Cattanach (*for Mrs S Ryder*), Mrs J Dyson, Mrs S Duckett, B Marshall (*for Mrs D Davies*), J McCartney, Mrs K McSherry, C Pearson, Mrs A Spetch and Mrs D White.

Officials: Solicitor, Licensing Enforcement Officer and Committee Administrator.

Public: 0

Press: 0

792 **Apologies for Absence and Substitution**

Apologies were received from Councillors Mrs D Davies and Mrs S Ryder.

Substitute Councillors were Councillors J Cattanach (*for Mrs S Ryder*) and B Marshall (*for Mrs D Davies*).

793 **Disclosure of Interest**

None.

794 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 18 February 2008 be confirmed as a correct record and be signed by the Chair.

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Procedure

The Procedure was noted.

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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 1 of Part 1 of Section 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

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Complaint about behaviour of Licensed Private Hire Driver

The Committee Administrator was advised on the morning of 17 March 2008 that the Private Hire Driver would not be attending due to him only receiving his letter on Saturday 15 March 2008.

This was due to the fact that the driver had not notified the Licensing Section of his change of address. The driver informed the Committee Administrator that he wished the Committee to hear the case in his absence.

It was agreed that the case would be heard in his absence.

Councillors received the report of the Licensing Enforcement Officer in respect of an allegation that a licensed Private Hire Driver had been witnessed smoking within a Private Hire Vehicle.

After consideration it was agreed that the Private Hire Driver be given a written warning on his future behaviour. In addition, councillors directed that as a consequence of recent hearings drivers of both Hackney Carriages and Private Hire vehicles be advised by letter that smoking and using hand held telephones within their vehicles are criminal offences and that anyone appearing before them in connection with these issues risk having their licences revoked.

Furthermore, councillors instructed that the same drivers should be reminded that where they have occasion to change their address they should notify the Licensing Department forthwith.

Resolved: That

- (i) the Private Hire Driver be issued with a written warning notifying him of his future behaviour;**

- (ii) all Hackney Carriage and Private Hire Drivers to receive a letter informing them that both smoking and using a hand held telephone within a licensed vehicle may result in their licence being revoked;**
- (iii) all Hackney Carriage and Private Hire Drivers to receive a letter informing them that where they have occasion to change their address that they notify the Licensing Department forthwith.**

The meeting closed at 10:27 am.