

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 12 January 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10:00 am.

554	Minutes
555	Procedure
556	Chair's Address to the Licensing Committee
557	Hackney Carriage Tariffs
558	Private Session
559	Application for Registration as a Motor Salvage Operator

Present: Councillor R Sayner in the Chair

Councillors: Mrs D Davies, J Deans (*for Mrs K McSherry*), Mrs J Dyson, Mrs P Mackay (*for C Pearson*), J McCartney, Mrs S Ryder, Mrs A Spetch and Mrs D White.

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

Also in Attendance: Mr Wemyss – Motor Vehicle Dismantling Association (for Minute 559)
DC Heseltine – British Transport Police (for Minute 559)

Observers: Barristers Clerk (York Chambers)

Public: 0

Press: 0

552 **Apologies for Absence and Substitution**

Apologies were received from Councillors Mrs S Duckett, Mrs K McSherry and C Pearson.

Substitute Councillors were J Deans (*for Mrs K McSherry*) and Mrs P Mackay (*for C Pearson*).

553 **Disclosure of Interest**

None.

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Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 15 December 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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Chair's Address to the Licensing Committee

The Chair wished the Committee a Happy New Year as this was the first meeting of the Licensing Committee in 2009.

The Chair informed the Committee of the following:

- Forthcoming Licensing Training in conjunction with Harrogate Borough Council to be held on 3 March 2009. Further details would be available at a future meeting of the Licensing Committee.

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Hackney Carriage Tariffs

Councillors received the report of the Licensing Enforcement Officer for the annual review of Hackney Carriage tariffs.

Councillors were of the option that the tariffs remain as they are.

Resolved:

That no increase in Hackney Carriage tariffs be approved.

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

Application for Registration as a Motor Salvage Operator

Councillors received the report of the Licensing Enforcement Officer in respect of the applicants' desire to be registered as motor salvage operators.

Following information received Officers from the British Transport Police, North Yorkshire County Council and Selby District Council attended the premises of the applicants and it was discovered that though the business was registered with the Environment Agency the proprietors had failed to register with Selby District Council either as a scrap metal dealer or a motor salvage operator.

The Licensing Enforcement Officer outlined a summary of the case and DC Heseltine provided a summary of his findings from visiting the applicant's premises and an appraisal of his concerns as to the fitness of the applicants to operate as motor salvage operators.

Mr Wemyss outlined the case on behalf of the applicant's and said it was an oversight on the applicant's part that they had not registered as scrap metal dealers or motor salvage operators with Selby District Council.

Various issues and concerns were raised with respect to the applicant's fitness to be registered as motor salvage operators with regard to criminal intelligence, audit trail, record keeping, criminal records of employer and employees and the applicants impending prosecution.

Councillors gave consideration to the full facts regarding this matter and agreed that this application for registration as a motor salvage operator be refused.

Resolved:

That there be a proposal to refuse a licence to be registered as a motor salvage operator for the following reasons:

- 1. The previous conviction of one of the applicants;**
- 2. The conviction of employees within the business;**
- 3. The inappropriate record keeping; and**
- 4. The impending prosecution on 20 January 2009.**

The meeting closed at 11:45 am.