

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 9 February 2009, 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, N Martin (*for Mrs S Duckett*), Mrs K McSherry, C Pearson, Mrs S Ryder, Mrs A Spetch and Mrs D White.

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

Public: 0

Press: 0

616 **Apologies for Absence and Substitution**

Apologies were received from Councillors Mrs S Duckett and J McCartney.

Substitute Councillor was N Martin (*for Mrs S Duckett*).

617 **Disclosure of Interest**

Councillor R Sayner declared a personal interest in Minute No: 624 and left the Chamber.

618

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 12 January 2009 be confirmed as a correct record and be signed by the Chair.

619

Licensing Sub Committee

Resolved:

That the minutes of the proceedings of the Licensing Sub Committee meeting held on 9 January 2009 be received.

620

Procedure

The Procedure was noted.

621

Chair's Address to the Licensing Committee

The Chair informed the Committee that Licensing Training had been arranged for Friday 6 March 2009 with Mr R Butterfield.

It was agreed that the training should cover all aspects of Licensing issues and should be opened up for all Councillors to attend.

622

Licensing Fees

Councillors received the report of the Licensing Enforcement Officer in respect of the review of licensing fees. Permission was sought to increase the current licensing fees.

In 2008 the Licensing Committee approved an increase in licensing fees of 5%. The Licensing Department proposed an increase this year of 10% for Hackney Carriage and Private Hire fees in order that Selby District fees are brought more closely into line with the fees for our Local Authority neighbours in North Yorkshire.

Resolved:

That the current licensing fees be increased by 10%.

623

Private Session

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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.

624

Application for a Hackney Carriage Licence

Having declared a personal interest in this item Councillor R Sayner left the Chamber and the Vice-Chairman, Councillor C Pearson took the chair.

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

The Licensing Enforcement Officer outlined the details of the case.

The driver concerned outlined his reasons for the application.

Councillors considered the application against the Council's guidelines on hardship and resolved to grant a licence for a vehicle, which was not fully accessible to the disabled.

Resolved:

That the application for a Hackney Carriage Licence for a vehicle not accessible to the disabled be granted on the grounds of financial hardship.

625

Application for Registration as a Motor Salvage Operator

Councillor R Sayner returned to the Chamber and proceeded to chair the meeting.

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

The Officer addressed the reasons why the application had previously been refused and referred specifically to:

- (i) lack of proper record keeping
- (ii) the pending prosecution of the applicants at Selby Magistrate's

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Court in light of the fact that the court may impose some form of order
(iii) criminal convictions of the applicant and company employees

In relation to the record keeping it was explained that this had significantly improved to the satisfaction of both the Police and the Council.

With regard to the prosecution it was revealed that the Magistrates had dealt with the applicants leniently and made no order with regard to their continuing to trade.

In respect of the criminal convictions it was stated that the applicant's previous convictions were 'spent' and that the convictions of the employees were irrelevant as the management was the responsibility of the applicants, who it was noted were always on the premises.

The applicants were in attendance and presented their case to the Committee which stated that significant improvements had been made to the record keeping, they had been convicted at Selby Magistrates Court where they had each received a fine, and they also believed that the convictions of one of them were 'spent'.

Councillors gave a great deal of thought to the facts regarding this application and agreed that taking all the above issues into consideration, the application for registration as a motor salvage operator be granted.

Resolved:

That the applicants be granted registration as motor salvage operators.

The meeting closed at 10:55 am.