

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 8 June 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00 am.

46	Minutes
47	Procedure
48	Chair's Address to the Licensing Committee
49	Private Session
50	Complaint about behaviour of Licensed Private Hire Operator
51	Complaint about behaviour of Licensed Hackney Carriage Driver

Present: Councillor R Sayner in the Chair

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

Officials: Senior Solicitor, Licensing Enforcement Officer and Committee Administrator

Public: 0

Press: 0

44 **Apologies for Absence and Substitution**

Apologies were received from Councillors Mrs J Dyson, K Ellis and Mrs K McSherry.

Substitute Councillors were Mrs E Metcalfe (*for Mrs J Dyson*) and C Pearson (*for Mrs K McSherry*).

45 **Disclosure of Interest**

None.

46 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 18 May 2009 be confirmed as a correct record and be signed by the Chair.

47 **Procedure**

The Procedure was noted.

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

The Chair asked that all questions go through her.

49 **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.

50 **Complaint about behaviour of Licensed Private Hire Operator**

Councillors received the report of the Licensing Enforcement Officer with regard to the conduct of a Private Hire Driver in connection with the displaying of a vehicle sign stating the word 'Taxi'.

The word 'Taxi' was displayed on the rear of the vehicle and this word was associated solely with the use of a Hackney Carriage and it was forbidden under Section 46 of the Local Government (Miscellaneous Provisions) Act 1976 for a Private Hire Vehicle Licence to exhibit a sign so as to lead any person to believe that it was a Hackney Carriage.

The driver had been interviewed and made aware of the Schedule of Conditions and removed the offending sign straight away. The driver was in attendance and apologised stating he would contact the Licensing Enforcement Officer first if he wanted to add any signage to his vehicle in future.

Councillors asked various questions in relation to the incident and it was agreed that it was a genuine mistake and no further action be taken.

Resolved:

That no further action be taken but if the driver came before the Committee again this incident would be taken into consideration.

Complaint about behaviour of Licensed Hackney Carriage Driver

The Committee was informed that this hearing was in relation to the behaviour of a Licensed Hackney Carriage Driver.

A decision was made that this matter be deferred until such a time as the Licensing Enforcement Officer had spoken to the Crown Prosecution Service as to whether there was a prosecution pending, for the driver to be legally represented and that the attendance of the Police Constable involved be requested.

Resolved: That

- (i) This hearing be deferred pending the result of the allegation of driving without due care and attention and in order that the driver can be legally represented; and**
- (ii) In addition, the Committee ask that the PC involved be invited to attend this hearing.**

The meeting closed at 10:30 am.