

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 9 November 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, K Ellis, Mrs P Mackay, Mrs K McSherry, Mrs S Ryder and Mrs D White.

Officials: Licensing Enforcement Officer, Senior Solicitor and Committee Services Officer.

368 **Apologies for Absence and Substitution**

Apologies were received from Councillor J McCartney

369 **Disclosure of Interest**

Councillor Davies declared a personal and non prejudicial interest in Agenda Item 7, due to knowing the family of the applicant.

370 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 5 October 2009 be confirmed as a correct record and be signed by the Chair.

371 **Procedure**

The Procedure was noted.

372 **Guidelines Relating to the Relevance of Convictions**

The guidelines were noted.

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

The Chair made no address.

374 **Application for Removal of a Consent street**

Councillors received the report of the Licensing Enforcement Officer in respect of re-designating the register of consent streets upon which the Council allows street trading to operate in accordance with Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 in order to remove Market Place, Selby from the list.

The Licensing Enforcement Officer outlined details of the case.

Councillors also heard the account of a Burger van operator who had previously traded from the Market Place and wished to be allowed to return to the same location now that the renaissance scheme had been completed.

Recommendation to Council:

That the Market Place Selby be removed from the register of consent streets for the following reasons:

- **The impact that cooked food traders would have on the regenerated Market Place when there are alternative locations available.**
- **Obstruction of emergency vehicle access.**

Resolved:

That the removal of all other cooked food traders currently operating in the area would be looked into.

375 **Licensing Act 2003 – Minor Variations**

Councillors received the report of the Licensing Enforcement Officer in respect to advising of the changes introduced by the Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009 ("The Order").

The request was also put to Councillors that delegated authority be

granted to the Licensing Enforcement Officer to determine applications for minor variations in respect of Premises Licences and Club Premises certificates.

Resolved: That

- i) The report be noted**
- ii) The Licensing Enforcement Officer be granted delegated authority to determine applications for minor variations in respect of Premises Licences and Club Premises Licences.**

376

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.

377

Application for a Private Hire Driver's Licence

Councillors received the report of the Licensing Enforcement Officer in respect of the applicants desire to be issued with a Private Hire Driver's Licence and his suitability to operate with a vehicle not fully accessible to the disabled.

The Licensing Enforcement Officer outlined details of the case.

The applicant gave councilors his own account of the situation.

Resolved:

That the applicant be granted a Private Hire Driver's Licence.

378

Complaint About the Behaviour of a Licensed Private Hire Driver.

Resolved:

That this item be deferred to another Licensing Committee meeting to be held 23 November 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00am.

The meeting closed at 11.30am.