

Minutes

Licensing Committee

Venue:	Committee Room 2
Date:	10 October 2011
Present:	Councillors Mrs S Duckett, Councillors K Ellis, Mrs P Mackay, Mrs C Mackman, B Marshall, Mrs K McSherry, D Peart, (substitute Mrs S Ryder) R Sayner(Chair) and R Sweeting.
Apologies for Absence:	Councillor Mrs S Ryder (substitute D Peart)
Officers Present:	Caroline Fleming - Senior Solicitor, Tim Grogan – Senior Enforcement Officer, Simon Scarrott – Senior Enforcement Officer, Karen Mann – Democratic Service Officer

31. DECLARATIONS OF INTEREST

Councillor Mackay declared a personal and prejudicial interest with regard to item 6 of the agenda as the applicant is a personal friend. Councillor Sweeting declared a personal and prejudicial interest as he had previously given a reference on behalf of the applicant for item 6.

32. MINUTES

Resolved:

To receive and approve the minutes of the Licensing Committee held on 5 September 2011 and they are signed by the Chair.

33. PROCEDURE

The Procedure was noted.

34. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair informed the committee that there had not been a meeting scheduled for April 2012 and that with their agreement a meeting would be arranged for Monday 2 April 2012. All committee members agreed with this date and asked that it be added to the schedule.

35. APPLICATION FOR PRIVATE HIRE VEHICLE LICENCE

Having declared a personal and prejudicial interest Councillors P Mackay and R Sweeting left the meeting.

Report L11/13 considered whether an application for a discreet Private Hire Vehicle Licence be granted.

The applicant was in attendance and the Senior Enforcement Officer outlined details of the case.

Councillors were given the opportunity to question the applicant in connection with his application and then the Committee considered their decision.

RESOLVED:

- i) To receive and note Report L11/13**
- ii) To APPROVE the application for a Discreet Private Hire Vehicle Licence in respect of a BMW 320D saloon car**

Councillors P Mackay and R Sweeting returned to the meeting.

36. 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.

37. APPLICATION FOR A PRIVATE HIRE DRIVERS LICENCE

Report L11/12 considered whether the application for a Private Hire Driver's Licence be granted.

The applicant and an accompanying friend were in attendance and the Senior Enforcement Officer outlined the details of the case.

The applicant gave details as to why he wished to be granted a licence and expanded upon the information in the application.

Councillors were given the opportunity to question the applicant and then the Committee considered their decision.

RESOLVED:

- i) To receive and note the report L11/112**

- ii) **To REFUSE the application due the applicant not being a fit and proper person on the basis of the information provided to the Committee**

38. ISSUE CONCERNING THE BEHAVIOUR OF A LICENSED PRIVATE HIRE DRIVER

Report L11/14 considered whether the applicant was a fit and proper person to hold a Private Hire Driver's Licence.

The applicant, employer and employer's father were in attendance and the Senior Enforcement Officer outlined the details of the case.

The applicant outlined the details of his case and why he believed he should be allowed to operate on behalf of the Council.

Councillors were given the opportunity to question both the Officer and the applicant about the application and then the Committee considered their decision.

RESOLVED:

- i) **To receive and note the report L11/14**
- ii) **To DEFER the application to the 7 November Licensing Committee meeting with a view to seeking outstanding information from North Yorkshire County Council.**

The meeting closed at 11.35am.