

Minutes

Licensing Committee

Venue:	Committee Room
Date:	16 January 2012
Present:	Councillors Mrs S Duckett, K Ellis, Mrs P Mackay, B Marshall, Mrs K McSherry, D Peart, Mrs S Ryder, R Sayner(Chair), R Sweeting and J Thurlow.
Apologies for Absence:	Councillor Mrs C Mackman (substitute D Peart)
Officers Present:	Caroline Fleming - Senior Solicitor, Tim Grogan – Senior Enforcement Officer, Simon Scarrott – Senior Enforcement Officer, Karen Mann – Democratic Services Officer and Richard Besley – Democratic Services Officer

52. DECLARATIONS OF INTEREST

None.

53. MINUTES

Resolved:

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

54. PROCEDURE

The Procedure was noted.

55. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair updated the committee that she had met with the Chief Executive to discuss one of the items on the agenda and the Senior Solicitor would be updating the committee with regard to this item.

56. LICENSING FEES

The Senior Enforcement Officer presented report L/11/17 which brought to the attention of the Licensing Committee the increase of the Licensing Fees.

A review of all licensing fees takes place annually. In 2011 the Licensing Committee approved an increase in licensing fees of 4.6% of all fees. The Enforcement Section proposes an increase this year of 5.6% in accordance with the fees and charges policy. The schedule is attached detailing the increases. The fees increase will be advertised.

RESOLVED:

- i) To receive and note Report L/11/17**
- ii) To approve the increase in the Licensing Fees**

57. 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.

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

The Senior Enforcement Officer presented report L11/16 that informed the Licensing Committee of a complaint received with regard to a Private Hire Driver using his mobile telephone whilst driving a passenger. The driver had also failed to inform the Council of a change of address which was a breach of a condition attached to their licence.

The Senior Enforcement Officer outlined details of the case.

The applicant presented his case to the Licensing Committee and they were given the opportunity to question the applicant about the complaint.

The applicant and Senior Enforcement Officers left the room whilst the committee considered their decision. Upon their return the Senior Solicitor advised the driver of the committee's decision.

RESOLVED:

- i) To receive and note the report L11/16**
- ii) That the applicant be given a FINAL WRITTEN WARNING to be held on file for 12 months**
- iii) To inform North Yorkshire County Council of the decision**

59. ISSUE CONCERNING THE BEHAVIOUR OF A PRIVATE HIRE DRIVER

Report L/11/14 considered whether the Private Hire Driver is a fit and proper person being a requirement to be licensed to drive a Private Hire Vehicle within Selby District.

The Senior Solicitor and the Senior Enforcement Officer gave an update on the case.

The Committee felt that the lack of information received from North Yorkshire Police and North Yorkshire County Council was unacceptable and that future steps need to be taken regarding this.

RESOLVED:

- i) To receive and note Report L11/14**
- ii) To DEFER the matter in order to ask the Private Hire Driver to sign letters of authority to be sent to NYCC and NYP to authorise the disclosure of the specific allegations made**
- iii) That the applicants licence continue to be suspended**

The meeting closed at 11.05am.