

## Minutes

### Licensing Committee

Venue:	Committee Room
Date:	22 July 2013
Present:	Councillors R Sayner (Chair), K Ellis (Vice Chair), Mrs S Duckett, Mrs P Mackay, Mrs C Mackman, B Marshall, Mrs K McSherry, Mrs S Ryder, R Sweeting and J Thurlow
Apologies for Absence:	None
Officers Present:	Caroline Fleming - Senior Solicitor, Tim Grogan – Senior Enforcement Officer, Hannah Breheny, Democratic Services Assistant and Palbinder Mann – Democratic Services Officer

#### 1. MINUTES

The followings errors were pointed out in the minutes:

- It was pointed out that under section 60 and 62 on page two as it should have stated “The Committee then discussed the matter and considered its decision on whether the application should be granted” rather than “The Committee then discussed the matter and considered their decision on whether the application should be granted”.
- Under item 63, the heading of the minute should have stated “ISSUE CONCERNING THE BEHAVIOUR OF A LICENSED HACKNEY CARRIAGE DRIVER” rather than “ISSUE CONCERNING THE BEHAVIOUR OF A LICENSING HACKNEY CARRIAGE DRIVER”
- Under resolution two for item 63, the minute should have stated “To suspend the driver for 28 days due to his inappropriate conduct” rather than “To suspend the driver for 28 days due to his inappropriate conduct”.

#### RESOLVED:

**To receive and approve the minutes of the Licensing Committee held on 13 May 2013 with the above amendments and that they be signed by the Chair.**

## **2. DISCLOSURES OF INTEREST**

Councillor Mrs Duckett declared a personal pecuniary interest in item 9, "Issue concerning the behaviour of a Licensing Hackney Carriage Driver" as she had supplied a witness statement and stated she would be leaving the room during the consideration of this item.

Councillor Marshall declared a personal pecuniary interest in item 9, "Issue concerning the behaviour of a Licensing Hackney Carriage Driver" as the driver's wife was his niece and stated he would be leaving the room during the consideration of this item.

Councillor Mrs Mackman declared a personal pecuniary interest in item 6 "Application for a Designated Public Places Order (DPPO) to Control Street Drinking in Monk Fyston Parish" as she had already voted on this issue and stated she would be leaving the room during the consideration of this item.

## **3. PROCEDURE**

The procedure was noted.

## **4. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE**

The Chair informed the Committee that there were two upcoming Licensing Hearings on 19 July and 22 July 2013.

## **5. APPLICATION FOR A DESIGNATED PUBLIC PLACES ORDER (DPPO) TO CONTROL STREET DRINKING IN MONK FRYSTON PARISH**

Councillor Mrs Mackman left the meeting for the consideration of this item.

The Senior Enforcement Officer presented the **Report L/13/1** which outlined an application submitted by Monk Fyston Parish Council to make a Designated Public Places Order (DPPO) to cover Monk Fyston Parish to control street drinking. It was explained that based on the evidence submitted at that time Members resolved to approve a public consultation as prescribed in the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.

Concern was raised at the lack of responses to the consultation. The Senior Enforcement Officer explained that this item had been considered at a meeting of the Parish Council where a number of members of the public had attended and had all supported the application.

The Committee agreed to support the application for the whole of the Monk Fyston Parish area.

## **RESOLVED:**

- i) **To agree to the creation of a DPPO for the whole of Monk Fryston parish and authorise Officers to take the appropriate steps to create the order to come into effect on 5<sup>th</sup> August 2013 or as soon as reasonably practicable after that.**
- ii) **To authorise officers to place a public notice in the local press as is required under the Local authorities (Alcohol Consumption in Designated Public Places) Regulations 2007**
- iii) **To authorise Officers to arrange the production and installation of the signs prior to the coming into force of the order (any order is not enforceable until after the signs have been erected).**
- iv) **A progress report be submitted to the Committee in 2 years' time to outline the effectiveness of the Order in helping reduce alcohol related anti-social behaviour and disorder.**

Councillor Mrs Mackman returned to the meeting.

## **6. 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.**

## **7. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE**

The Senior Enforcement Officer presented the **Report L/13/2** which outlined an application for a Private Hire Driver's Licence. The applicant was in attendance with a representative.

Councillors were given the opportunity to question the applicant in connection with the application. The Committee then discussed the matter and considered whether the application should be granted.

### **RESOLVED:**

- i) **To APPROVE the application for a Private Hire Driver's Licence.**

## **8. ISSUE CONCERNING THE BEHAVIOUR OF A LICENSING HACKNEY CARRIAGE DRIVER**

Councillors Mrs Duckett and Marshall left the meeting for the consideration of this item.

The Senior Enforcement Officer presented the **Report L/13/3** which outlined a complaint that had been received about a Hackney Carriage Driver and considered whether the respective driver was a fit and proper person to drive a Hackney Carriage. The driver was in attendance.

Councillors were given the opportunity to question the driver and the witnesses in connection with the incident. The Committee discussed the matter and considered all the relevant issues.

**RESOLVED:**

- i) **To SUSPEND the driver for 14 days due to there being no explanation being provided for the vehicle being in Selby at the time.**

The meeting closed at 11.26pm