

Agenda

Meeting: **LICENSING COMMITTEE**
Date: **MONDAY 28 APRIL 2014**
Time: **10.00AM**
Venue: **MEETING ROOM 2**
To: **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**

1. **Apologies for absence**

2. **Minutes**

To confirm as a correct record the minutes of the Licensing Committee held on 3 February 2014 (pages 1 to 4 attached).

3. **Disclosures of Interest**

A copy of the Register of Interest for each Selby District Councillor is available for inspection at www.selby.gov.uk.

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

4. **Procedure**

To outline the procedure to be followed at the meeting (Pages 5 to 6)

5. **Chair's Address to the Licensing Committee**

6. Application for a Gaming Machine Permit for the Abbey Vaults, James Street, Selby

To receive the report of the Senior Enforcement Officer L/13/16 (pages 7 to 14 attached).

7. Application for a Discreet Private Hire Vehicle Licence in Respect of a Range Rover Sport Vehicle

To receive the report of the Senior Enforcement Officer L/13/17 (pages 15 to 22 attached).

8. Application for a Discreet Private Hire Vehicle Licence in Respect of a Mercedes S Class Vehicle

To receive the report of the Senior Enforcement Officer L/13/18 (pages 23 to 30 attached).

9. Application for a Discreet Private Hire Vehicle Licence in Respect of a Volkswagen Caravelle Transporter Vehicle

To receive the report of the Senior Enforcement Officer L/13/19 (pages 31 to 38 attached).

10. Private Session

That in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following item as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 7 of Part 1 of Schedule 12(A) of the Act.

11. Application for a Hackney Carriage Licence in Respect of a Particular Vehicle

To receive the report of the Senior Enforcement Officer L/13/20 (pages 39 to 48 attached)

12. Issue concerning the behaviour of a Licensing Hackney Carriage Driver

To receive the report of the Senior Enforcement Officer L/13/21 (pages 49 to 57 attached)

**Jonathan Lund
Deputy Chief Executive**

Dates of next meetings
2 June 2014
7 July 2014

Enquiries relating to this agenda, please contact Palbinder Mann on:
Tel: 01757 292207 Email: pmann@selby.gov.uk

Minutes

Licensing Committee

Venue:	Committee Room
Date:	3 February 2014
Present:	Councillors R Sayner (Chair), Mrs S Duckett, Mrs P Mackay, Mrs C Mackman, B Marshall, Mrs K McSherry, D Peart (for K Ellis), Mrs S Ryder, R Sweeting and J Thurlow
Apologies for Absence:	K Ellis (sub D Peart)
Officers Present:	Caroline Fleming - Senior Solicitor, Kelly Hamblin – Senior Solicitor, Tim Grogan – Senior Enforcement Officer and Palbinder Mann – Democratic Services Officer

39. MINUTES

It was pointed out that in paragraph two under item 38, it should have stated *The Committee then discussed the matter and considered its decision on whether the application should be granted.*

RESOLVED:

To APPROVE the minutes of the Licensing Committee meeting held on 2 December 2013 with the above amendment and to be signed by the Chair.

40. DISCLOSURES OF INTEREST

There were no declarations of interest.

41. PROCEDURE

The procedure was noted.

42. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair reported on three decisions of the Committee that had recently been appealed to the Magistrates Court. These decisions were in relation to a licensing act premises review and two in relation to taxi licensing matters.

Premises Review

It was reported that this appeal was compromised on the advice of the legal team. The decision of the Sub Committee had not been accompanied by reasons for the decision. It was explained that the legislation and good decision making practice both required reasons to be given. No findings of fact were recorded in relation to disputed evidence.

The Chair explained that although the Court was entitled to reach its own conclusions on the evidence, it would start by considering the reasons given by the Council. As there were no reasons and no findings of fact it was not possible to show the court how and why the conclusion had been reached. It was explained that there was a therefore a high risk that the Court would reach a different conclusion and that it would award costs against the Council as a result.

The Chair explained that the compromise resulted in the original opening hours being reinstated and the requirement for door supervision being dropped.

The council had to pay costs of £4600 to the appellant however these costs would have been significantly higher if the case had been heard in court and the Council had lost the case.

Taxi Licensing

Case 1

The Chair explained that in the first taxi appeal the Committee had imposed a suspension of the licence due to allegations of misconduct however the facts of the case were disputed by the driver. It was noted that on hearing the case the Committee felt that on balance of probabilities the alleged behaviour had taken place.

The Committee were informed that in support of his appeal the driver had provided significant additional information. It was explained that an Appeal was a fresh hearing taking into consideration any new evidence.

On considering the new evidence provided the legal team had felt that Court could conclude that the driver's version could be true on the balance of probabilities and the witness mistaken.

The Chair explained that with her agreement the appeal was conceded and the suspension lifted.

Case 2

The second case related to the decision to refuse a hackney carriage drivers licence due to previous convictions.

The Chair explained that this was the second application by that individual. On his previous application the Committee had refused his application because a conviction was not 'spent'.

It was noted that on his second application the Committee had refused his licence as he had not had a three year period free from incident since his conviction became 'spent' and there was no reason to depart from the policy guidelines in that respect.

The decision not to award a licence was upheld after a Court hearing but no order was made as to costs. It was explained that the Court had declined to award the Council its costs of the hearing because the previous Committee decision should have been clearer in its reasoning and decision. This would have avoided creating an unrealistic expectation by the applicant that he was likely to be granted a licence immediately before his conviction became spent which led to applicant incurring costs.

It was explained that the Court had felt the Committee decisions did not demonstrate transparency and consistent application of Council policies and has asked whether it would be possible to explain its policy and its application to the individual as he was clearly keen to re-apply as soon as possible.

The Chair explained that she had consulted the Solicitor to the Council and suggested that as Chair of the Committee she should write to that person setting out the position.

It had also been suggested that there be some training for the Committee on good decision making practice, reasons and appeals. The Chair stated that she had asked the legal team to organise this and hoped the Committee would support this by ensuring full attendance.

The Chair explained that the Committee had to move into private session if they wished to discuss the address in more detail.

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.

The Committee discussed the verdicts on the cases. The Committee felt that with regard to the first taxi case, extra evidence had been introduced when the case went to Court which the Committee had not seen therefore it was limited to what they could have done in this situation. It was accepted that more details were needed with future decisions and it was agreed that training would be beneficial for the Committee in achieving this.

43. APPLICATION FOR PRIVATE HIRE VEHICLE LICENCES IN RESPECT OF TWO MERCEDES BENZ MOTOR VEHICLES

The Senior Enforcement Officer presented the Report L/13/14 which considered an application for Private Hire Vehicle Licences in respect of two Mercedes Benz motor vehicles. It was explained that the applicant had requested that the licences be discreet in manner. The applicant was in attendance.

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:

To APPROVE the application for the discreet Private Hire Vehicle Licences for two Mercedes Benz motor vehicles.

44. 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.

45. ISSUE CONCERNING THE BEHAVIOUR OF A LICENSING HACKNEY CARRIAGE DRIVER

The Senior Enforcement Officer presented the Report L/13/15 which outlined a complaint that had been received 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 appellant 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 his inappropriate conduct.**
- ii) The driver be asked to bring the requested medical documentation to the Senior Enforcement Officer as soon as possible.**

The meeting closed at 1.07pm

LICENSING COMMITTEE

PROCEDURES TO BE FOLLOWED

The Licensing Committee acts in a quasi judicial capacity to give a fair hearing to an applicant where a hearing is required by law or equity. When considering the case the only evidence the Members of the Committee can take into account is evidence previously submitted to form the agenda and any verbal evidence given at the actual meeting by Officers representing the Council and by the applicant or his/her representative, and their witnesses. The following procedures must be followed.

1. Procedures to be followed when submitting an application to the Licensing Committee for consideration;
 - i) The Council's Officers will liaise with the Committee Section to arrange a suitable date for the meeting. The applicant and Members of the Committee will be informed of this date in writing and a copy of the procedure note will be included for the applicant.
 - ii) The applicant and Council's Officers will submit any written evidence to the Committee Section for inclusion in the agenda by a given date. If the evidence is to be verbal, this should be stated.
 - iii) If witnesses are to be called the Committee Section must be notified prior to the hearing.
 - iv) Any application for adjournment because of late submission of papers, will in principle be considered sympathetically by the Committee.
2. The procedure to be followed by the Licensing Committee:
 - i) For each individual case the applicant and any representatives will be shown into the Committee Room at the same time as the appropriate Council's Officers. Witnesses will enter the room at the same time unless there are any objections.
 - ii) The District Solicitor will introduce the applicant, any representatives, witnesses and the Council's Officers to the Members of the Committee.
 - iii) The Chair will introduce Members of the Committee.
 - iv) The Chair will then go through the procedure as follows:

- a) Officers representing the Council will present the case for the Council. They may present such witnesses as they believe are appropriate.
- b) Officers representing the Council, and any witnesses, will then answer questions from the applicant or his/her representative, and from Members of the Committee.
- c) The applicant or his/her representative will then present the applicant's case. They may present such witnesses as they believe are appropriate.
- d) The applicant or his/her representative, and any witnesses, will then answer questions from the Committee and the Council's Officers.
- e) The Council's Officers will then sum up on behalf of the Council.
- f) The applicant or his/her representative will then sum up.
- g) The applicant and his/her representative will then be asked whether they consider they have had a fair hearing and the Committee will take into account any comments, which are then made. The Chair of the Committee will then ask the Council's Officers presenting the case the same question and will again take account of any comments made.
- h) The Council's Officers, the applicant and his/her representative, all witnesses, press and public, will then be asked to withdraw from the meeting whilst the Committee makes their decision on the evidence presented.
- i) The applicant and his/her representative, the Council's Officers, all witnesses, press and public, will be invited back into the meeting to be informed of the Committee's decision.

Following the Committee meeting the Solicitor will inform in writing to the applicant the decision of the Licensing Committee.



Public Session

Report Reference Number: L/13/16

Agenda Item No: 6

To: Licensing Committee

Date: 28 April 2014

Author: Tim Grogan, Senior Enforcement Officer

Lead Officer: Helen McNeil, Lead Officer, Debt Control and Enforcement

Summary:

The Abbey Vaults Public House is currently permitted to use two gaming machines. The Licence Holder, Marston's Plc, have applied to increase this number of machines to three.

Recommendations:

That the Licensing Committee make a decision whether or not to grant Marston's Plc a permit to allow an increase of gaming machines within the Abbey Vaults Public House, Selby from two to three.

1. Introduction and background

- 1.1 On 3 March 2014, Selby District Council received an application from John Gaunt, Solicitors on behalf of Marston's Plc, to increase the number of gaming machines within the Abbey Vaults Public House from two to three. .

2. The Report

- 2.1 The Abbey Vaults Public House is currently permitted two gaming machines under section 282 of the Gambling Act 2005. These machines provide amusement with prizes of cash. They are category C machines which have a maximum stake of £1 and a maximum prize of £100. These machines are restricted to persons aged 18 years or over.

- 2.2 Prior to the 24 November 2005, Gaming Machine Permits were issued by Licensing Justices at the Magistrates Court. Following the introduction of the Licensing Act 2003 this responsibility was transferred to the Local Authority.
- 2.3 In addressing its new responsibilities under the Act, Selby District Council produced a Licensing Policy. Within this document at section 2.12, the Policy indicates that the Council will grant permits to Licensed Premises authorising the use of up to two machines but that any increase will necessitate the applicant attending a hearing before the Licensing Committee.
- 2.4 Section 2.13 of the Policy indicates that the Licensing Committee will consider the size and layout of the Licensed Premises and evidence of usage and further demand in consequence of making their decision.
- 2.5 It should be noted that the Abbey Vaults under a previous Premises Licence Holder, Wolverhampton and Dudley Breweries, made a similar request before the Council's Licensing Committee on 14 August 2006. This was approved but the permit was not taken up by the new Premises Licence Holder.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

There are no particular legal issues other than those surrounding the application process

3.2 Financial Issues

There will be financial implications as the new Act includes the imposition of fees for new permits. The annual fee for three gaming machines is £150, whereas there is no annual fee for less than three gaming machines.

4. Conclusion

That Councillors note this application.

5. Background Documents

- Application from John Gaunt Solicitors on behalf of Marston's Plc.
- Section from the Licensing Policy relevant to the application.

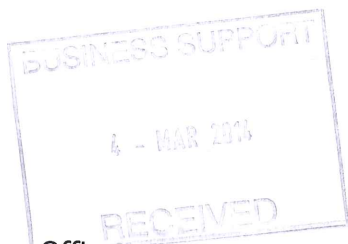
Contact Officer: Tim Grogan: tgrogan@selby.gov.uk

WK 201401144
Receipt 5419

JG&P

John Gaunt
& Partners

052



Our Ref: CP/MAR/15644/29
Contact: Charlotte Pinson

Licensing Officer
Selby District Council
The Civic Centre
Portholme Road
Selby
North Yorkshire
YO8 4SB

03 March 2014

Dear Sirs

PREMISES: ABBEY VAULTS, JAMES STREET, SELBY, YO8 4PY
PREMISES LICENSEE: MARSTON'S PLC
GAMING MACHINE PERMIT APPLICATION

We act for Marston's PLC, the premises licensee of the Abbey Vaults.

On our client's behalf, we enclose by way of service on you, application for a new Gaming Machine Permit in respect of 3 machines under the Gambling Act 2005.

Attached is our cheque in your favour in the sum of £150.00 being the fee payable. Kindly acknowledge safe receipt.

Should you have any queries, please telephone Charlotte Pinson on 0114 266 8664.

We look forward to receiving the new Gaming Machine Permit.

Thank you for your assistance.

Yours faithfully


John Gaunt & Partners
Email: CPinson@john-gaunt.co.uk

Tel: 0114 266 8664
Helpline: 0114 266 3400
Fax: 0114 267 9613
Email: info@john-gaunt.co.uk
www.john-gaunt.co.uk

Partners:

John Gaunt (569711)
Katharine Redford (569712)
Tim Shield (569713)

Associates:

Michelle Hazlewood (569714)

Practice Manager:

Christopher Grunert
Jonathan Hyldon
Jonathan Pupius


John Gaunt & Partners
Omega Court
372 - 374 Cemetery Road
9 Sheffield
S11 8FT

**NOTIFICATION OF 2 OR LESS GAMING MACHINES or
GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:
CONVERSION / NEW / VARIATION / TRANSFER**

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

<p>Section C – Application for permit transfer (i.e. where a transfer has been requested for the Licensing Act 2003 premises licence)</p>	
<p>4. Name of person requesting the transfer</p> <p>.....</p>	
<p>5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:</p>	
Requested	<input type="checkbox"/>
Granted	<input type="checkbox"/>
<p>6. Please provide your existing permit, or provide reasons stating why it cannot be provided</p>	
Existing permit provided	<input type="checkbox"/>
Reasons why existing permit cannot be provided	
<p>.....</p> <p>.....</p>	

Section D – General Information

7. Name of Premises: Abbey Vaults

8. Address of Premises: James Street, Selby, YO8 4PY

9. Telephone number of Premises: 01757 702857.....

10. Name of existing Premises Licence holder: Marston's PLC.....

11. Address of Premises Licence holder (if different from 8 above):
Marston's House, Brewery Road, Wolverhampton, WV1 4JT.....

12. Telephone number (daytime) of Premises Licence holder:
c/o John Gaunt & Partners (Solicitors) 0114 266 8664

13. E-mail address of Premises Licence holder (where available):
.....

14. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant:
John Gaunt and Partners Solicitors, Omega Court, 372 Cemetery Road, Sheffield, S11 8FT

Tel: 0114 266 8664.....

15. Licensing Act 2003 Premises Licence Reference (i.e. number):
LN/000002895

**NOTIFICATION OF 2 OR LESS GAMING MACHINES or
GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:
CONVERSION / NEW / VARIATION / TRANSFER**

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

Section E – Fee and Signature(s)

*I enclose a sum of £150 **

(cheques should be made payable to Selby District Council.)



I understand that I must comply with the Gaming Machine Code of Practice for Alcohol Licensed Premise Permits and Permissions issued by the Gambling Commission. (see guidance note 8)

Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.

Dated

03 March 2014.....

Signed (by or *on* behalf of Licensing Act 2003 Premises Licence holder)

.....

Print Name: John Gaunt & Partners Solicitors.....

- If you wish to have a maximum of 2 gaming machines then the fee payable is £50.00
- If you wish to have more than 2 gaming machines then the fee payable is £100.00 (if it is made by an existing operator or £150.00 in all other cases.
- The fee for a vary is £100.00
- The fee for a transfer is £25.00

Official Use Only

Date of receipt:

Signature and name of staff who received:

Date of receipt of fee:

Signature and name of staff who received fee:

Application accepted / returned (please delete as appropriate)

Date of premises licence (Licensing Act 2003) transfer (if applicable):

NOTIFICATION OF 2 OR LESS GAMING MACHINES or
GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:
CONVERSION / NEW / VARIATION / TRANSFER

Guidance notes:

1. This form is to be used for the **notification of up to 2 gaming machines** of categories C and / or D under Section 282 of the Gambling Act 2005, or for the **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
2. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
3. The gaming machines must be located on these licensed premises.
4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
5. There is no statutory limit to the number of machines which may be applied for although the licensing authority has some discretion in this regard. It should also be noted that the licensing authority can cancel the permit or vary the number of machines should the premises be mainly used for making gaming machines available for use on the premises (Schedule 13 paragraph 16 Gambling Act 2005). You may therefore wish to contact the licensing authority to ask whether there is a local policy as regards applications and whether application for certain numbers of machines are decided via a hearing of local councillors.
6. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable 30 days after the issue date and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50.00. There are no annual fees payable for 2 machines or less.
7. Sections 282 and 283, as well as SI 2007 / 1833 of the Gambling Act 2005 provide for two types of gaming machines which can be located in alcohol licensed premises. These are:
 - Category C: Maximum stake = 50p / Maximum prize = £35
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
8. **All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005.** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission or your local Council licensing service.
9. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.
10. Where you are notifying the local licensing authority of 2 machines or less, you may wish to request an acknowledgement of receipt of the notification. The form attached to this application can be utilised for this purpose.

Gaming Machines

- 2.12 Where an applicant for a gaming machine permit or gaming machine notification is not a Premises Licence holder, the Licensing Authority requires confirmation that the application is made on behalf of, and with the agreement of, the Premises Licence Holder. In the absence of such information, the application will be postponed until that consent has been obtained.
- 2.13 Where licensed premises intend to provide more than two gaming machines, the Licensing Authority will hold a hearing in respect of that application. The need for a hearing will be determined by factors such as the presence of children, nature of the premises and the potential for crime and disorder.
- 2.14 With regard to the Protection of Children from Harm objective, it is recognised that it is a matter for the Premises Licence holder and any adults accompanying the children concerned, whether or not they are entitled to play lower stake machines (category C and D gaming machines). In the case of premises used exclusively and primarily for the consumption of alcohol, children under 16 will only be lawfully permitted entry to the premises if accompanied by an adult.
- 2.15 The Licensing Authority shall expect the applicant to adhere to the Gambling Commission's Codes of Practice related to all gaming machines and shall expect the applicant to be familiar with Part C: Permits - Alcohol Licensed premises Gaming Machine Permits as stated in the Council's Gambling Policy.

Public Session

Report Reference Number: L/13/17

Agenda Item No: 7

To: Licensing Committee

Date: 28 April 2014

Author: Tim Grogan, Senior Enforcement Officer

Lead Officer: Helen McNeil, Lead Officer, Debt Control and Enforcement

Summary:

Jeremy Moore has applied for a Private Hire Vehicle Licence in respect of a Range Rover Sport X9 SDL motor vehicle and requests that the licence be discreet in manner.

Recommendations:

That Councillors approve the issue of Private Hire Vehicle licence in the form of a disc identifying a Range Rover Sport X9 SDL motor vehicle.

1. Introduction and background

- 1.1 To bring to the attention of the Committee, an application by Jeremy Moore for the grant of a Private Hire Vehicle Licence for a Range Rover Sport X9 SDL motor vehicle, being discreet in manner.

2. The Report

- 2.1 On Thursday 13 March 2014, Jeremy Moore applied to Selby District Council for Private Hire Vehicle licences in respect of a Range Rover Sport X9 SDL motor vehicle. He requested that such a licence be discreet in manner as a consequence of his proposed customers requesting an executive transportation service using vehicles not displaying a 'plate'.
- 2.2 Mr Moore intends to run his business from 46 Cliffe Road, Cliffe, Selby. He was licensed by the Council as a Private Hire Driver on 6 February 2014 and as a Private Hire Operator on 5 March 2014.

- 2.3 The Committee should be aware that orthodox Private Hire plates, which are currently displayed in accordance with section 47(2) of the Local Government (Miscellaneous Provisions) Act 1976, are securely fixed to the front and rear exterior of Private Hire vehicles in a conspicuous position.
- 2.4 Three prospective business customers support this application and confirm this information in writing.
- 2.5 Section 48(5) of the Local Government (Miscellaneous Provisions) Act 1976 is the legislation which deals with this matter. The Section provides that a District Council shall issue a plate or disc in order that a vehicle may be identified as a Private Hire Vehicle.
- 2.6 Other Authorities have issued licences in the form of a disc which is discreet in nature. Selby District Council has granted such licences on fourteen previous occasions, although not all individuals who have previously applied are still operating these licences.
- 2.7 A copy of the disc, which will be provided on a red background when issued thereby replicated the colour of the Private Hire Vehicle plate, is available for scrutiny.
- 2.8 A copy of Mr Moore's letter of application is attached together with the three letters from his prospective business customers.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

The legal issues surrounding this matter are contained within the body of the report.

3.2 Financial Issues

There are no financial implications.

4. Conclusion

That Councillors determine the application.

5. Background Documents

There are no background documents

Contact Officer: Tim Grogan: tgrogan@selby.gov.uk

Appendices:

- (i) A copy of Section 48(5) of the Local Government Act (Miscellaneous Provisions) Act 1976 is available in the Legal Services section.
- (ii) A letter of application from Jeremy Moore
- (iii) Letter of support from Mr Howard Smelt-Webb of the Yorkshire Chauffeur Company
- (iv) Letter of support from Mr Collins of Chapel House Training and Consultancy Ltd
- (v) Letter of support from Mrs Anne Wood of Macvan Transport
- (vi) Copy of disc

Dear Mr Grogan

I have had the above vehicle tested and have been issued with a pair of temporary plates. I am requesting that I be permitted to use the vehicle for executive private hire with discreet plates.

I have spoken with Mrs Patterson from business support who informs me that I need to provide three letters from local businesses who would use my services and also that I would have to go before a council licencing committee in order for them to consider my request.

Please find enclosed letters from The Yorkshire Chauffeur Company, MacVan and Chapel House Training & Consultancy.

It is requested that my application for the use of discreet private hire plates be put before the next available licencing meeting for their consideration.

Yours sincerely

Jeremy Moore

Dear Sir / Madam

I am the Director of The Yorkshire Chauffeur Company.

We operate chauffeur driven Range Rovers throughout the Selby and Yorkshire area.

I have known Jeremy Moore for a number of years and I can say that the Yorkshire Chauffeur Company would use the executive chauffeuring service that he is proposing to start.

The Yorkshire Chauffeur Company work with a number of high end Hotels and venues in Yorkshire. We would prefer his vehicle not to have ' private hire ' badges displayed due to the discreet service we offer.

Yours faithfully



Howard Smelt-Webb
The Yorkshire Chauffeur Company
(Chauffeur driven Range Rovers)
www.theyorkshirechauffeurcompany.co.uk

12 March 2014

Dear Sir/Madam

I am the Chief Executive Officer of Chapel House Training and Consultancy Ltd based in Monk Fryston.

Chapel House Training operates in and around the Selby area and has many clients attending venues throughout the Selby district.

I have known Jeremy Moore for several years and I fully support and would be interested in using the executive private hire/chauffeuring business he is setting up for both business and personal use. I would prefer his vehicle to not have to display 'private hire' plates and badges as I and my clients would like the service to be of a more discrete nature.

Yours faithfully

David Collins
CEO

THE OLD CHAPEL, WATER LANE, MONK FRYSTON, LS25 5DZ

~~0113 265 8857~~ ^{01977 689 266} M: 0779 328 7484
E: info@thechapelhousegroup.co.uk www.thechapelhousegroup.co.uk

MACVAN
16 VANBRUGH ROAD
EGGBOROUGH
Nr. GOOLE
N. HUMBERSIDE
DN14 0LW



ANNE WOOD
MICHEAL McNEILL
TEL:01977 661700
FAX:01977 661700

Dear Sir/Madam

I am one of the Partners of Macvan Transport, we are based in Eggborough and operate in and around the Selby area.

I have known Jeremy Moore for several years and fully support and would be more than interested in using his new enterprise offering executive private hire for both business and private use.

I would prefer his vehicles not to display the 'Private Hire' plates and badges as I would find this would give off a more professional ambience and would offer both myself and my clients more discretion.

Yours Faithfully

Mrs Anne Wood
Partner

SELBY

IN THE VALE OF YORK

**SELBY DISTRICT COUNCIL
Licensed Private Hire Vehicle**

PHV

Vehicle Registration No

Make..... Colour

Licence Expires

This vehicle is exempt form the Display of Licence
Insignia - All enquires in respect of this licence
should be addressed to the Licensing
Department at Selby District Council,
Portholme Road,
Selby YO8 4SB

Public Session

Report Reference Number: L/13/8

Agenda Item No: 8

To: Licensing Committee

Date: 28 April 2014

Author: Tim Grogan, Senior Enforcement Officer

Lead Officer: Helen McNeil, Lead Officer, Debt Control and Enforcement

Summary:

John Stockdale has applied for a Private Hire Vehicle Licence in respect of a Mercedes S Class motor vehicle and requests that the licence be discreet in manner.

Recommendations:

That Councillors approve the issue of Private Hire Vehicle licence in the form of a disc identifying a Mercedes S Class motor vehicle.

1. Introduction and background

- 1.1 To bring to the attention of the Committee, an application by John Stockdale for the grant of a Private Hire Vehicle Licence for a Mercedes S Class motor vehicle, being discreet in manner.

2. The Report

- 2.1 On Saturday 15 March 2014, John Stockdale applied to Selby District Council for Private Hire Vehicle licences in respect of a Mercedes S Class motor vehicle. He requested that such a licence be discreet in manner as a consequence of his proposed customers requesting an executive transportation service using vehicles not displaying a 'plate'.
- 2.2 Mr Stockdale was originally granted a discreet licence on 3 July 2014 and the vehicle subject of this report is a replacement for that vehicle. He is an established licensed operator and runs his business from Brayton, Selby.

- 2.3 The Committee should be aware that orthodox Private Hire plates, which are currently displayed in accordance with section 47(2) of the Local Government (Miscellaneous Provisions) Act 1976, are securely fixed to the front and rear exterior of Private Hire vehicles in a conspicuous position.
- 2.4 Three prospective business customers support this application and confirm this information in writing.
- 2.5 Section 48(5) of the Local Government (Miscellaneous Provisions) Act 1976 is the legislation which deals with this matter. The Section provides that a District Council shall issue a plate or disc in order that a vehicle may be identified as a Private Hire Vehicle.
- 2.6 Other Authorities have issued licences in the form of a disc which is discreet in nature. Selby District Council has granted such licences on fourteen previous occasions, although not all individuals who have previously applied are still operating these licences. Mr Stockdale is one of those fourteen applications.
- 2.7 A copy of the disc, which will be provided on a red background when issued thereby replicated the colour of the Private Hire Vehicle plate, is available for scrutiny.
- 2.8 A copy of Mr Stockdale's email of application is attached together with the three letters from his prospective business customers.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

The legal issues surrounding this matter are contained within the body of the report.

3.2 Financial Issues

There are no financial implications.

4. Conclusion

That Councillors determine the application.

5. Background Documents

There are no background documents

Contact Officer: Tim Grogan: tgrogan@selby.gov.uk

Appendices:

- (i) A copy of Section 48(5) of the Local Government Act (Miscellaneous Provisions) Act 1976 is available in the Legal Services section.
- (ii) A letter of application from John Stockdale
- (iii) Letter of support from Sarah Dunning of Npower
- (iv) Letter of support from Justine Sangwin of Eggborough Power Station
- (v) Letter of support from Lindsey Torrington of XPD
- (vi) Copy of disc

John Stockdale

Executive Cars

Business & Executive Travel

Elm Tree Cottage, Chapel Lane, Brayton, Selby, YO8 9EE

Tel: 01757 703955 Mobile: 0771 415 4919

Dear Sir/Madam,

Please find 3 letters (referee's) for reasons for wanting discreet licence on my Mercedes S Class (F4SJS)

Hope this is to your approval.

Thank's

S.J.Stockdale



Selby District Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT

11 March 2014

To whom it may concern

RE John Stockdale Executive Cars

I can confirm that as a regular customer of John Stockdale Executive Cars, our preference would be for the car to be discreet due to the executive personnel for which it is used.

Please do not hesitate to contact me should you require any further information.

Yours faithfully

Sarah Dunning

Sarah Dunning
Personal Assistant

RWE npower
TSG Ferrybridge
Old Great North Road
Knottingley
West Yorkshire
WF11 8PR

T +44(0)1977/63 22 01
F +44(0)1977/63 23 11
I www.tsg.rwepl.com

Registered office:
RWE Npower plc
Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire SN5 6PB

Registered in England
and Wales no. 3892782

11 March 2014

Selby District Council Licensing Dept
Civic Centre
Doncaster Road
Selby
YO8 9FT

Dear Sirs

John Stockdale Executive Cars

Eggborough Power Ltd utilise the services of the above company on a regular basis to transport their senior executives and VIP visitors.

We prefer to use the services of John Stockdale Executive Cars as the vehicle is highly discreet and professional, which is an important aspect for our business requirements.

Should you wish to discuss this further, please do not hesitate to contact me.

Yours faithfully

✓ Justine Sangwin
PA to Chief Executive Officer & Chief Operating Officer

Selby District council

Civic Centre

Doncaster Road

Selby

YO8 9FT



Please
reply to



Northumberland House
Drake Avenue, Staines
Middlesex TW18 2AP
Tel: 01784 466744
Fax: 01784 450845



Unit 1
Southlands
Thorpe Wiloughby
Selby,
YO8 9PZ
Tel: 01757 213622
Fax: 01757 706959
www.xpd.co.uk

To Whom it may concern

We at XPD have a substantial amount of travel requirements alot of which is at Executive level.

Not only do we use Mr Stockdale due to the proffesional level of sevice we get but also Mr Stockdale vehicle is discreet and doesnt look like a Taxi, more of a executive transport.

This is important to us as a company as Mr Stockdale carries Managing Diesctors also Head of Buisness.

If you need any more information please dont hesitate in contacting me

Kind regards

Lindsey

Lindsey Torrington

PA to Head of Business Development



S E L B Y

IN THE VALE OF YORK

**SELBY DISTRICT COUNCIL
Licensed Private Hire Vehicle**

PHV

Vehicle Registration No

Make..... Colour

Licence Expires

This vehicle is exempt from the Display of Licence
Insignia - All enquires in respect of this licence
should be addressed to the Licensing
Department at Selby District Council,
Portholme Road,
Selby YO8 4SB

Public Session

Report Reference Number: L13/19

Agenda Item No: 9

To: Licensing Committee

Date: 28 April 2014

Author: Tim Grogan, Senior Enforcement Officer

Lead Officer: Helen McNeil, Lead Officer, Debt Control and Enforcement

Summary:

Greg Howgate has applied for a Private Hire Vehicle Licence in respect of a Volkswagen Caravelle Transporter motor vehicle and requests that the licence be discreet in manner.

Recommendations:

That Councillors approve the issue of Private Hire Vehicle licence in the form of a disc identifying a Volkswagen Caravelle Transporter motor vehicle.

1. Introduction and background

- 1.1 To bring to the attention of the Committee, an application by Greg Howgate for the grant of a Private Hire Vehicle Licence for a Volkswagen Caravelle Transporter motor vehicle, being discreet in manner.

2. The Report

- 2.1 On Monday 6 January 2014, Greg Howgate applied to Selby District Council for Private Hire Vehicle licences in respect of a Volkswagen Caravelle Transporter motor vehicle. He requested that such a licence be discreet in manner as a consequence of his proposed customers requesting an executive transportation service using vehicles not displaying a 'plate'.
- 2.2 Mr Howgate was originally granted a discreet licence on 8 July 2008 and the vehicle subject of this report is a replacement for that vehicle. He is an established licensed operator and runs his business from Tadcaster.

- 2.3 The Committee should be aware that orthodox Private Hire plates, which are currently displayed in accordance with section 47(2) of the Local Government (Miscellaneous Provisions) Act 1976, are securely fixed to the front and rear exterior of Private Hire vehicles in a conspicuous position.
- 2.4 Three prospective business customers support this application and confirm this information in writing.
- 2.5 Section 48(5) of the Local Government (Miscellaneous Provisions) Act 1976 is the legislation which deals with this matter. The Section provides that a District Council shall issue a plate or disc in order that a vehicle may be identified as a Private Hire Vehicle.
- 2.6 Other Authorities have issued licences in the form of a disc which is discreet in nature. Selby District Council has granted such licences on fourteen previous occasions, although not all individuals who have previously applied are still operating these licences. Mr Howgate is one of those fourteen applications.
- 2.7 A copy of the disc, which will be provided on a red background when issued thereby replicated the colour of the Private Hire Vehicle plate, is available for scrutiny.
- 2.8 A copy of Mr Howgate's email of application is attached together with the three letters from his prospective business customers.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

The legal issues surrounding this matter are contained within the body of the report.

3.2 Financial Issues

There are no financial implications.

4. Conclusion

That Councillors determine the application.

5. Background Documents

There are no background documents

Contact Officer: Tim Grogan: tgrogan@selby.gov.uk

Appendices:

- (i) A copy of Section 48(5) of the Local Government Act (Miscellaneous Provisions) Act 1976 is available in the Legal Services section.
- (ii) An email of application from Greg Howgate
- (iii) Letter of support from Linda Warwick of The Tech Data Central Supply Chain
- (iv) Letter of support from Derek Humphries of Mars Care and Treats
- (v) Letter of support from Karen Lofthouse of Heineken UK Limited
- (vi) Copy of disc

Tim Grogan

From: Greg Howgate <calcariataxis@btconnect.com>
Sent: 06 January 2014 16:09
To: Tim Grogan
Subject: Discreet Plate Application

Dear Mr Grogan,

I wish to apply for a discreet plate for vehicle registration LR08 NFT Volkswagan Caravelle Transporter 8 passenger seats. Our current clients are constantly requesting MPV'S for journeys to and from airports/stations etc etc. Normally I sub-contract this work out to other companies that have this facility.

KRs

Greg Howgate

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisation's IT Helpdesk.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Tech Data CSC
4 Pioneer Business Park
Clifton Moor
York
YO30 4GH
01904 695000

6th March 2014

Subject: Discreet Vehicles

Dear Sir/Madam

We understand that Calcaria Private Hire's discreet private hire licence is due for renewal.

We wish to continue using Calcaria Private Hire's service's in providing our corporate clients and alike for the foreseeable future vehicles of a discreet nature. Calcaria Private Hire provides an excellent and private service.

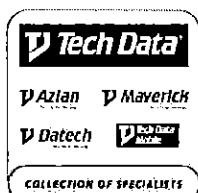
We understand that Calcaria Private Hire have acquired an additional vehicle to their fleet, an MPV. This vehicle would be an excellent addition as it would reduce costs for our company from having to book two vehicles to and from airports, stations etc.

If you require further information then please do not hesitate in contacting me on the number provided.

Yours Faithfully

Linda Warwick

Office Administrator



Tech Data CSC
4 Pioneer Business Park
Clifton Moor
York
YO30 4GH
Tel: +44 (0)1904 695000
techdata.com

Azlan Logistics Limited
Registered in England
No.4625566 at
4 Pioneer Business Park
Clifton Moor
York
YO30 4GH

VAT Number
GB 552 014679

MARS

Care & Treats

Petcare Europe

a division of mars petcare uk

OAKWELL WAY

BIRSTALL

BATLEY

WEST YORKSHIRE

WF17 9LU

ENGLAND

T+44 (0) 01924 427000

F+44 (0) 01924 427427

13TH MARCH 2014

To Whom It May Concern:

Display of Private Hire Licence Plate (Dispensation)

I am writing on behalf of Calcaria Private Hire in support of their request for exemption from the requirement to display Private Hire Licence Plates on cars operating on Mars business.

Calcaria Private Hire provide a private chauffeuring service to the Mars group, often carrying senior executives of the global Mars, Inc. organisation.

The discretion and anonymity of the service is an important factor in managing some security risks for these executives and it is for this reason that I would kindly request that exemption is granted.

Should you require further information please do not hesitate to contact me directly.

Yours sincerely

David Humphries
UK Services Buying Manager

DDI (01753) 514634



Tim Grogan
Law Enforcement Officer
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

14 March 2014

Calcaria Private Hire - Discreet Vehicles

Dear Sir

I understand that Calcaria Private Hire's discreet private hire licence is due for renewal.

I can confirm that Heineken are planning on continuing to use Calcaria Private Hire's services, for the foreseeable future, in providing both our travellers and Heineken guests alike vehicles of a discreet nature.

Calcaria Private Hire provides an excellent and private service. We understand that Calcaria Private Hire has acquired a MPV as an additional vehicle to their fleet. This vehicle will certainly be an excellent addition and will also assist in reducing costs for our company by allowing cab sharing and one rather than two vehicles to be booked on journeys to and from airports and stations.

If you require further information then please do not hesitate in contacting me on the number provided.

Yours faithfully

A handwritten signature in black ink, appearing to be "KL" or similar initials.

Karen Lofthouse
Procurement Contract Manager – Business Services
Mobile 07774 102186

HEINEKEN UK Limited
John Smith's Brewery
Tadcaster
North Yorkshire LS24 9SA
T +44 (0)1937 832 091
www.heineken.co.uk

Registered office:
2-4 Broadway Park
South Gyle Broadway
Edinburgh EH12 9JZ

Registered in Scotland:
No: SC065527

SELBY

IN THE VALE OF YORK

**SELBY DISTRICT COUNCIL
Licensed Private Hire Vehicle**

PHV

Vehicle Registration No

Make..... Colour

Licence Expires

This vehicle is exempt from the Display of Licence
Insignia - All enquires in respect of this licence
should be addressed to the Licensing
Department at Selby District Council,
Portholme Road,
Selby YO8 4SB