

Minutes

Licensing Committee

Venue:	Committee Room
Date:	Monday 7 December 2015
Time:	10.00am
Present:	Councillors C Pearson (Chair), D Buckle (Sub for R Sweeting), I Chilvers (Sub for M Hobson), Mrs J Chilvers, Mrs S Duckett, K Ellis, M Jordan, B Marshall, J Thurlow and Mrs D White.
Apologies:	Councillors M Hobson and R Sweeting.
Officers present:	Gillian Marshall, Solicitor to the Council; Rebecca Ware, Legal Officer; Tim Grogan, Senior Enforcement Officer; and Daniel Maguire, Democratic Services Officer
Public:	0
Press:	0

42. CHANGE TO AGENDA ORDER

The Chair proposed amending the order of the meeting to take items 9, 10 and 11 between items 5 and 6.

RESOLVED:

To amend the order of the agenda to take items 9, 10 and 11 between items 5 and 6.

43. MINUTES

The Committee considered the minutes of the Licensing Committee meeting held on 2 November 2015. The minutes were approved subject to the amendment of the word 'changes' to 'change' in paragraph 3 on page 2 of the agenda pack.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 2 November 2015, subject to the amendment.

44. DISCLOSURES OF INTEREST

Councillor Jordan noted his membership of the National Trust in connection with minute 51, but as this was not a disclosable pecuniary interest he remained in the meeting during consideration of the item, took part in the discussion and voted.

45. PROCEDURE

The Committee noted the Licensing Committee procedure.

46. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

It was confirmed that Council had approved the revised Alcohol and Entertainment Licensing Policy on 1 December, and that the revised policy would guide future decision making by the Committee.

It was reported that the Immigration Bill was progressing through Parliament and that it contained a number of new taxi and Private Hire provisions. These would require mandatory immigration checks as part of the licensing of taxis and Private Hire drivers. The Bill was expected to complete its passage through Parliament in spring 2016.

The Chair advised that the Home Office had issued updated guidance relating to Section 21 of the Violent Crime Reduction Act 2006. The revised guidance allowed for a quicker process for attaching interim conditions to a licence, and a fast-track licence review where the Police considered that a premise was associated with serious crime and/or disorder.

47. PRIVATE SESSION

RESOLVED:

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 items as there will be disclosure of exempt information as described in paragraphs 3 of Schedule 12(A) of the Act.

48. ISSUE CONCERNING THE BEHAVIOUR OF A HACKNEY CARRIAGE VEHICLE DRIVER (REPORT L/15/20)

The Hackney Carriage driver was in attendance and confirmed that he understood the procedure.

The Senior Enforcement Officer presented report L/15/20, which detailed a complaint received against the driver concerned. The complaint related to an incident on 2 November 2015.

The Committee was given the opportunity to question the Senior Enforcement Officer and the driver in connection with the incident.

The Senior Enforcement Officer and the driver left the room while the Committee discussed the matter and made its decision

RESOLVED:

To issue the driver with a written warning to remain on file for six months, recognising that unauthorised parking in disabled parking bays is not an acceptable practice for a 'fit and proper' person who holds a Hackney Carriage drivers licence in the Selby district.

The driver was invited back into the meeting and the Solicitor to the Council advised him of the Committee's decision.

49. ISSUE CONCERNING THE BEHAVIOUR OF A HACKNEY CARRIAGE VEHICLE DRIVER (REPORT L/15/21)

The Hackney Carriage driver was in attendance and confirmed that he understood the procedure.

The Senior Enforcement Officer presented the L/15/21, which detailed a complaint received against the driver concerned. The complaint related to an incident on 4 November, not 2 November as stated in the report.

The Committee was given the opportunity to question the Senior Enforcement Officer and the driver in connection with the incident.

The Senior Enforcement Officer and the driver left the room while the Committee discussed the matter and made its decision

RESOLVED:

To issue the driver with a verbal warning, recognising that parking on a footpath is not an acceptable practice for a 'fit and proper' person who holds a Hackney Carriage drivers licence in the Selby district but also noting the driver's relative inexperience and his good reference.

The driver was invited back into the meeting and the Solicitor to the Council advised him of the Committee's decision.

50. PUBLIC SESSION

RESOLVED:

To move back into public session.

51. APPLICATION FOR A DISCREET PRIVATE HIRE VEHICLE LICENCE (REPORT L/15/17)

The applicant was in attendance and confirmed that he understood the procedure.

The Senior Enforcement Officer presented the L/15/17, which detailed an application received on 12 October 2015 from Mr Paul Clayden for a discreet Private Hire Vehicle Licence in respect of a Mercedes Viano.

The application was supported with references from three business customers who required the provision of discreet, executive private hire transport.

The Committee was given the opportunity to question the Senior Enforcement Officer and the applicant about the application. It was confirmed that the applicant had experienced an increase in demand for executive style private hire transport related to airport, wedding and funeral work. The applicant confirmed that drivers would be dressed in shirt, tie and a suit. The Senior Enforcement Officer confirmed that he supported the application.

The Senior Enforcement Officer and the applicant left the room while the Committee discussed the matter and made its decision

RESOLVED:

To grant the application for a discreet Private Hire Vehicle Licence to Mr Paul Clayden.

The applicant was invited back into the meeting and the Solicitor to the Council advised him of the Committee's decision.

52. APPLICATION FOR A DISCREET PRIVATE HIRE VEHICLE LICENCE (REPORT L/15/18)

The applicant was in attendance and confirmed that he understood the procedure.

The Senior Enforcement Officer presented report L/15/18, which detailed an application received on 12 November 2015 from Mr Nicholas John Mole for a

discreet Private Hire Vehicle Licence in respect of a Mercedes S350L operated by his company, Platinum VIP Chauffeurs.

The application was supported with references from three business customers who required the provision of discreet executive private hire transport.

The Committee was given the opportunity to question the Senior Enforcement Officer and the applicant about the application. The applicant confirmed that drivers would be dressed smartly in shirt, tie and a suit. The Senior Enforcement Officer confirmed that he supported the application.

The Senior Enforcement Officer and the applicant left the room while the Committee discussed the matter and made its decision

RESOLVED:

To grant the application for a discreet Private Hire Vehicle Licence to Mr Nicholas John Mole.

The applicant was invited back into the meeting and the Solicitor to the Council advised him of the Committee's decision.

53. LICENSING OF COMMUNITY PREMISES (REPORT L/15/19)

The Solicitor to the Council presented report L/15/19, which provided information and guidance to the Committee about the licensing of Community Premises such as community centres, village halls and church halls.

It was explained that the government had undertaken a consultation on 'Rebalancing the Licensing Act', which recognised that community premises do not necessarily generate the same challenges in respect of the Licensing Objectives as other premises and that some requirements of licensing legislation do not need to apply.

The report was provided for information and councillors were able to ask questions of the Solicitor to the Council.

RESOLVED:

To note the report.

The meeting closed at 11.10am.