

## Minutes

### Licensing Committee

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Venue:	Committee Room
Date:	Monday 1 February 2016
Time:	10.00am
Present:	Councillors C Pearson (Chair), D Buckle (Sub for M Hobson), I Chilvers (Sub for R Sweeting), 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; Tim Grogan, Senior Enforcement Officer; and Daniel Maguire, Democratic Services Officer
Public:	0
Press:	0

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#### **54. MINUTES**

The Committee considered the minutes of the Licensing Committee held on 7 December 2015. The minutes were approved subject to the amendment of those present to include Councillor K Ellis.

#### **RESOLVED:**

**To approve the minutes of the Licensing Committee meeting held on 7 December 2015, subject to the above amendment.**

#### **55. DISCLOSURES OF INTEREST**

There were no disclosures of interest.

## **56. PROCEDURE**

The Committee noted the Licensing Committee procedure.

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

The Chair informed the Committee that revised Licensing Fees had come into effect on Friday 8 January 2016 which reflected the new three and five year licences granted in accordance with the Deregulation Act 2015. It was also reported that Vehicle Examination fees were being recalculated to ensure full cost recovery and that recommendations would be presented to the Executive in due course.

It was confirmed that a letter had been sent to the taxi trade on 15 December 2015 confirming the Committee's concerns regarding licensed hackney carriage and private hire vehicles parking in disabled parking bays and on footpaths.

The Committee was informed that the North Yorkshire Licensing Practitioners Group had reconvened and officers from Selby District Council had attended. It was noted that the Group provided a forum for local authorities to share information and best practice at a regional level. The recent meeting had considered safeguarding training for licensed drivers and it was explained that proposals may be brought to the Committee during 2016.

## **58. APPLICATION FOR TWO DISCREET PRIVATE HIRE VEHICLE LICENCES (REPORT L/15/22)**

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

The Senior Enforcement Officer presented report L/15/22, which detailed an application made to the Council by Richard Harrop, a licensed Private Hire operator, for two discreet Private Hire vehicle licences. The application was for a Mercedes S-class vehicle and a Chrysler Grand Voyager vehicle.

The applicant confirmed that his business had been operating in Leeds for fifteen years and was now based in Selby. He informed the Committee that he was now attracting clients from a wider area, and in particular the area between Leeds, Harrogate and York. The applicant confirmed that drivers would be formally dressed when providing these services.

The Senior Enforcement Officer confirmed that he supported the application.

The applicant and the Senior Enforcement Officer left the meeting whilst the Committee considered the application.

### **RESOLVED:**

**To grant the application for two discreet Private Hire vehicle licences.**

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

## **59. 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.**

## **60. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (REPORT L/15/23)**

The applicant was in attendance and was accompanied by his representative. He confirmed that he understood the procedure.

The Senior Enforcement Officer presented report L/15/23, which detailed an application made to Selby District Council for a Private Hire Driver's Licence. As part of the application process a Disclosure and Barring Service (DBS) check had been undertaken, and this had raised concerns about the ability of the applicant to meet the 'fit and proper person' requirement. A copy of the DBS report had been provided to the Committee.

The applicant's representative provided a character reference for the applicant, noting in particular the age of the applicant at the time of the convictions, the time that had elapsed since the last conviction (25 years) and that the applicant was seeking employment after having owned his own business in the district for the previous seven years.

The Committee was given the opportunity to question the Senior Enforcement Officer, the applicant and the applicant's representative in connection with the incident.

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

### **RESOLVED:**

**To grant the application for a Private Hire Driver's Licence**

The Committee stated that having taken into consideration Selby District Council's Licensing Policy (and specifically the guidance on the Relevance of Convictions), the nature of the offences, the time period that had elapsed since the last offence, and the good character references provided, they considered that the applicant was a 'fit and proper person' to be a licensed Private Hire driver.

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

**61. ISSUE CONCERNING THE BEHAVIOUR OF A HACKNEY CARRIAGE VEHICLE DRIVER (REPORT L/15/24)**

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

The Senior Enforcement Officer presented report L/15/24, which detailed that a collision that had occurred on Thursday 6 August on the A1041 in Camblesforth and which had involved the driver concerned. As a result of the incident the driver had admitted to the police that she had driven without due care and attention and agreed to undergo driver training as an alternative to formal police action being taken. The report further highlighted that the driver had not reported the collision to the Council, this being a requirement of holding a Hackney Carriage Driver's Licence.

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 12 month written warning.**

The Committee stated that it considered that the incident was very serious, both in respect of the collision and also the failure to report the matter to the Council. The Committee felt that a written warning would help ensure that the driver remained a 'fit and proper person' to hold a Hackney Carriage Driver's Licence.

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

The meeting closed at 11.14am.