

Minutes

Licensing Committee

Venue:	Committee Room
Date:	Monday 7 March 2016
Time:	10.00am
Present:	Councillors C Pearson (Chair), D Buckle (Sub for M Jordan), Mrs J Chilvers, Mrs S Duckett, K Ellis, M Hobson, R Sweeting, J Thurlow and Mrs D White.
Apologies:	Councillors M Jordan and B Marshall.
Officers present:	Gillian Marshall, Solicitor to the Council; Tim Grogan, Senior Enforcement Officer; Alison Beaumont, Enforcement Officer; and Daniel Maguire, Democratic Services Officer
Public:	0
Press:	0

62. MINUTES

The Committee considered the minutes of the Licensing Committee held on 1 February 2016. The minutes were approved as a correct record and signed by the Chair.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 1 February 2016.

63. DISCLOSURES OF INTEREST

Councillor Mrs Duckett declared a personal interest in minute number 69 and advised that she would leave the meeting during consideration of this item.

64. PROCEDURE

The Committee noted the Licensing Committee procedure.

65. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair welcomed members and officers. He reported that officers from Trading Standards had completed covert tests for under-age sales at two premises in the Selby District. One incident involved an inexperienced member of staff and was being resolved informally, the second incident was of a more serious nature and a prosecution was pending. It was explained that as there was a possibility the case may come before the Committee in the future, the premises were not identified and no further details were provided.

It was also reported that the Police and Crime Bill had been laid before Parliament on 10 February, and that the Bill included provisions for local authorities to revoke/suspend personal licences. It was explained that currently this power was only available to Magistrates.

66. APPLICATION FOR A DISCREET PRIVATE HIRE VEHICLE LICENCE (REPORT L/15/25)

The applicant had advised the Committee that he was unable to attend the hearing for personal reasons, but had asked that the application was considered in his absence. The Committee agreed to consider the application.

RESOLVED:

To consider the application in the absence of the applicant.

The Senior Enforcement Officer presented report L/15/25, which detailed an application made to the Council by Philip Richardson, a licensed Private Hire operator, for a discreet Private Hire vehicle licence. The application was for a Mercedes Vito vehicle that was currently licenced with Selby District Council as a private hire vehicle. The Senior Enforcement Officer confirmed that he supported the application.

The Committee considered the application.

RESOLVED:

To grant the application for a discreet Private Hire vehicle licence for a Mercedes Vito vehicle.

67. APPLICATION FOR A DISCREET PRIVATE HIRE VEHICLE LICENCE (REPORT L/15/26)

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

The Senior Enforcement Officer presented report L/15/26, which detailed an application made to the Council by Mark Wright, a licensed Private Hire operator, for a discreet Private Hire vehicle licence. The application was for a Jaguar XF vehicle that was currently licenced with Selby District Council as a

private hire vehicle. The Senior Enforcement Officer confirmed that he supported the application.

The Committee was given the opportunity to question the Senior Enforcement Officer and the applicant about the application. It was confirmed that the applicant would be the sole driver of the vehicle, and that he would be appropriately dressed when undertaking executive-type work.

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 for a Jaguar XF vehicle.

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

68. 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.

69. APPLICATION FOR A HACKNEY CARRIAGE VEHICLE LICENCE (REPORT L/15/27)

Councillor Mrs Duckett left the meeting at this point and did not return.

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/15/27, which detailed an application made to the Council for a Hackney Carriage Vehicle Licence for a non-Wheelchair Accessible Vehicle (WAV) to replace an existing WAV vehicle.

The applicant presented his case, which concerned the ability to use his vehicle whilst not being used as a licensed hackney carriage, as private transport for his family, and specifically for a relative who had suffered a stroke. It was reported that the relative suffered discomfort when travelling in the WAV. The Committee were informed that the personal circumstances of the applicant meant that purchasing a second vehicle was not feasible. The applicant acknowledged that he was currently fourth on the waiting list for non-WAVs, and that his application would require the Council to deviate from its policy.

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

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

RESOLVED:

To refuse the application for a non-Wheelchair Accessible Hackney Carriage Vehicle.

The Committee stated that it was sympathetic to the personal circumstances of the applicant, but it would not be appropriate to deviate from the Council's policy, or the ratio of non-WAVs to WAVs as the policy existed to promote the interests of all members of the public. The Committee further stated that those drivers who were on the waiting list had a reasonable expectation that their applications would be considered in accordance with the policy.

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

The meeting closed at 11.01am.