

Minutes

Licensing Committee

Venue:	Committee Room
Date:	Monday 9 May 2016
Time:	10.00am
Present:	Councillors C Pearson (Chair), I Chilvers (Sub for R Sweeting), Mrs J Chilvers, Mrs S Duckett, K Ellis, M Hobson, M Jordan, B Marshall, J Thurlow and Mrs D White.
Apologies:	Councillor R Sweeting.
Officers present:	Gillian Marshall, Solicitor to the Council; Tim Grogan, Senior Enforcement Officer; Danica Swift, Enforcement Officer; Alex Dochery, Graduate Trainee; and Daniel Maguire, Democratic Services Officer
Public:	0
Press:	0

70. MINUTES

The Committee considered the minutes of the Licensing Committee held on 7 March 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 7 March 2016.

71. DISCLOSURES OF INTEREST

There were no disclosures of interest.

72. PROCEDURE

The Committee noted the Licensing Committee procedure.

73. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair welcomed members and officers. He reported that the Council's Enforcement Team had received a number of complaints regarding allegations of plying for trade by a Private Hire operator. The allegations had been investigated and the Senior Enforcement Officer had met with the operator concerned. There had been no evidence found of any wrongdoing.

The Chair advised that agenda item 6 would be considered after agenda items 7 to 9 inclusive, to reduce the waiting time for applicants and witnesses.

74. 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.

75. CONSIDERATION OF PRIVATE HIRE LICENCES (REPORT L/15/28)

The Senior Enforcement Officer presented the report, which detailed concerns relating to the driver and operator of a licensed Private Hire vehicle. It was reported that the vehicle had been checked as part of the Enforcement Evening on Monday 21 March 2016 and had been found to have a defective seatbelt. The vehicle was taken out of service and the operator was issued with a Roadworthiness Prohibition Notice.

The driver and the operator were present and were able to confirm that appropriate measures had been put in place since the inspection; this included the provision of a daily check list for drivers and a defect log. The driver was also able to confirm that the defective seatbelt had been working previously during the day and that this could be confirmed as the vehicle had been used to convey school students on a contracted service.

The driver and operator along with the Senior Enforcement Officer left the room while the Committee made their decision.

RESOLVED:

- (i) **To take no further action in relation to the Private Hire driver; and**
- (ii) **To take no further action in relation to the Private Hire operator.**

Reason for decision:

The Committee considered that both the driver and operator had taken sufficient remedial action in response to the incident, and that a recurrence would be unlikely.

The driver and operator were invited back into the meeting and the Solicitor to the Council advised them of the Committee's decision.

**76. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE
(REPORT L/15/29)**

The Senior Enforcement Officer presented the report, which detailed concerns relating to a Disclosure and Barring Service (DBS) check made in connection with an application for a Private Hire Driver's Licence. A copy of the DBS report was circulated to the Committee.

The applicant was in attendance and was able to answer questions from the Committee. He confirmed that the concerns raised in the DBS check related to events that occurred between 19 and 24 years previous. The applicant also confirmed that he had been a licensed private hire driver in a neighbouring district for the previous 19 years.

The applicant along with the Senior Enforcement Officer left the room while the Committee made their decision.

RESOLVED:

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

Reason for decision:

The Committee had referred to the Council's Licensing Policy, and specifically the guidance in relation to the relevance of convictions. The Committee considered that sufficient time had passed since the matters of concern had occurred, and that the applicant was a 'fit and proper' person to hold a Private Hire Driver's Licence.

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

77. PUBLIC SESSION

RESOLVED:

To move back into public session.

78. ENFORCEMENT EVENING (REPORT L/15/27)

The Senior Enforcement Officer presented the report, which updated the Committee on a taxi Enforcement Evening which had taken place on Monday 21 March 2016 in Selby.

It was noted that a total of nine licensed vehicles were examined, and of these four were found to have no faults, four were found to have minor rectifiable faults and one was subject to a Roadworthiness Prohibition Notice and was taken out of service for a defective seatbelt. It was confirmed that the operators of those vehicles found with minor rectifiable faults were interviewed and advised of the standards required by Selby District Council.

In response to questions from the Committee it was confirmed that the decision to hold the Enforcement Evening on a Monday was due to the availability of Police and Driver and Vehicle Standards Agency (DVSA) resources. The Committee requested that, wherever possible, future checks were scheduled for busier evenings.

RESOLVED:

To note the report.

The meeting closed at 11.05am.