

Minutes

Licensing Committee

Venue:	Committee Room
Date:	Monday 1 August 2016
Time:	10.00am
Present:	Councillors C Pearson (Chair), D Buckle (sub for M Jordan), Mrs J Chilvers, J Deans (sub for R Sweeting), K Ellis, M Hobson, B Marshall, J Thurlow, P Welch (sub for S Duckett) and Mrs D White.
Apologies:	Councillors Mrs S Duckett, M Jordan and R Sweeting.
Officers present:	Kelly Dawson, Senior Solicitor; Tim Grogan, Senior Enforcement Officer; and Daniel Maguire, Democratic Services Officer
Public:	0
Press:	0

9. MINUTES

The Committee considered the minutes of the Licensing Committee meeting held on 13 June 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 13 June 2016.

10. DISCLOSURES OF INTEREST

There were no disclosures of interest.

11. PROCEDURE

The Committee noted the Licensing Committee procedure, including the relevant section of the Licensing Policy regarding the relevance of convictions.

12. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair welcomed members and officers. He reported that officers were considering a draft Charitable Collections Policy, which would be presented to the Executive on 6 October 2016. If approved by the Executive, the draft policy would then be subject to a public consultation, which would include being presented to the Licensing Committee at the meeting on 7 November 2016.

It was noted that a training day for the Licensing Committee, substitute councillors and officers had been arranged for Monday 17 October. The training day would focus on the work of the Committee and full details would be circulated in due course. Councillors were asked to make a note of the date.

13. 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.

14. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE (REPORT L/16/3)

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 Hackney Carriage 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 highlighted in the DBS check related to events that occurred previously on the dates stated. The applicant also confirmed that he had been a licensed hackney carriage driver in a neighbouring district between 1991 and 2001 after which he took up alternative employment. It was confirmed that the previous licensing authority had been aware of one of the matters of concern and had not taken any action.

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

RESOLVED:

To grant the application.

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 Senior Solicitor advised him of the Committee's decision.

15. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE (REPORT L/16/4)

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 Hackney Carriage Driver's Licence. A copy of the DBS report and letters from two referees supplied by the applicant were circulated to the Committee.

The applicant was in attendance and was able to answer questions from the Committee. He confirmed that the concerns highlighted in the DBS check related to events that occurred when the applicant was 22 years old. The Committee noted that the incident was of a serious nature, and that a previous application made to Selby District Council had been refused on 7 March 2011 due to insufficient time having lapsed since the conviction. The applicant stated that he had not been in trouble with the police since the conviction.

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

RESOLVED:

To grant a Hackney Carriage Driver's Licence with an initial probationary period of six months.

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 Hackney

Carriage Driver's Licence. However, having regard to the severity of the offence the Committee considered it would be appropriate to initially issue a licence for a probationary period of 6 months.

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

16. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE (REPORT L/16/5)

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 Hackney Carriage 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 highlighted in the DBS check related to events when the applicant was 17 years old.

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

RESOLVED:

To grant the application for a Hackney Carriage 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 Hackney Carriage Driver's Licence.

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

17. APPLICATION FOR AN EXEMPTION FROM ASSISTING PASSENGERS ON MEDICAL GROUNDS (REPORT L/16/6)

The Committee was advised that the applicant had requested that the application be deferred due to him being in hospital. It was confirmed that the applicant was expected to be available to attend the next scheduled meeting of the Licensing Committee on 5 September 2016.

RESOLVED:

To defer the application to the next scheduled meeting.

Reason for decision:

The request to defer the application would have no detrimental effect on the Council or its licensing obligations.

The meeting closed at 11.07am.