

Minutes

Licensing Committee

Venue:	Committee Room
Date:	Monday 7 November 2016
Time:	10.00am
Present:	Councillors C Pearson (Chair), K Ellis (Vice-Chair), D Buckle, Mrs J Chilvers, S Duckett, M Hobson, B Marshall, R Sweeting, and Mrs D White (arrived 10.20am, during minute 33).
Apologies:	Councillor J Thurlow.
Officers present:	Gillian Marshall, Solicitor to the Council; Tim Grogan, Senior Enforcement Officer; Chris Watson, Assistant Policy Officer (for minute number 33); Rebecca Ware, Legal Officer (for minute number 33); Clare McMichan, Business Administration Assistant; and Daniel Maguire, Democratic Services Officer
Public:	0
Press:	0

26. MINUTES

The Committee considered the minutes of the Licensing Committee meeting held on 5 September 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 5 September 2016.

27. DISCLOSURES OF INTEREST

There were no disclosures of interest.

28. PROCEDURE

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

29. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair welcomed officers and Councillors.

30. 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 paragraph 3 of Schedule 12(A) of the Act.

31. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (REPORT L/16/12)

The Senior Enforcement Officer presented the report which was an application for a Private Hire Driver's Licence. The application had been brought to the Committee because the Disclosure and Barring Service (DBS) report had highlighted previous convictions.

The applicant was present and was able to answer questions from the Committee.

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

RESOLVED:

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

Reason for decision:

The Committee, having considered the Council's Taxi Licensing Policy and in particular the Relevance of Convictions (appendix C) agreed that the applicant met the requirements in respect of: the nature of the convictions; the period of time since conviction; and that there had been no further convictions.

32. PUBLIC SESSION

The Committee considered if the public and press should remain excluded from the meeting.

RESOLVED:

That the Committee returns to public session and that the press and public be readmitted to the meeting.

Reason for decision:

The reasons for excluding the public and press were no longer applicable.

33. CHARITABLE COLLECTIONS POLICY (REPORT L/16/10)

The Assistant Policy Officer presented the report which asked the Committee to consider a draft Charitable Collections Policy. It was explained that the draft policy had been developed in response to increased demand for charitable collections within the Selby district following the success of recent events such as the Tour de Yorkshire. It was explained that although not a statutory requirement, the lack of a policy meant that the Council's decisions could be subject to legal challenge.

The Committee noted that the draft policy: set out the legislative background; explained the Council's expectations; described the service and standards that the Council would provide to charities and the public; and included a voluntary Code of Conduct for direct-debit street collections. It was explained that the draft policy would also be considered by the Policy Review Committee before being presented for approval to the Executive.

Councillor Mrs D White entered the meeting at this point.

The Committee welcomed the draft policy, but noted that guidance in the draft policy would ordinarily permit house to house collections between 8am and 8pm. The Committee was concerned that some residents may feel intimidated by house to house collections during the hours of darkness. It was agreed to recommend that the condition be amended to reflect the difference between summer and winter.

RESOLVED:

- (i) To recommend that the hours during which house to house collections would ordinarily be permitted are amended to be 9am to 5pm and extended to 8pm during British Summer Time; and**
- (ii) To note the proposed role of the Licensing Committee to consider appeals relating to street collection licences.**

Reasons for decision:

To ensure that the Licensing Committee provide their comments prior to the draft policy being considered by the Executive.

34. TAXI LICENSING POLICY (REPORT L/16/11)

The Solicitor to the Council presented the report which asked the Committee to consider changes to section 3.3 of the Taxi Licensing Policy. It was confirmed that the proposed changes related to the requirement for new hackney carriage and private hire applicants to successfully complete the Driver and Vehicle Standards Agency (DVSA) test prior to the initial application

The Solicitor to the Council reported that the DVSA would no longer provide this test, and that the Taxi Licensing Policy would have to be amended accordingly. The report presented three options:

- to remove the requirement for applicants to pass an additional driving test;
- to substitute one specified provider to replace the DVSA; or
- to allow drivers to produce evidence of having successfully completed a test from an approved list of providers.

The Solicitor to the Council confirmed that officers recommended the third option and provided a list of three providers that could be appointed to an approved list pending a full review of options.

It was confirmed that the three companies listed in the report would be included on the approved list of providers, and that the Committee would be consulted before additional providers were added.

RESOLVED:

- (i) To recommend that the Taxi Licensing Policy be amended to reflect option C in the report; and**
- (ii) To include the three companies listed in the report on an approved list of test providers.**

Reasons for decision:

The Taxi Licensing Policy is required to be updated because the DVSA no longer provides the test referred to in section 3.3 of the policy. The Licensing Committee was invited to make representations in advance of the changes being considered by the Executive.

The meeting closed at 10.54am.