

Minutes

Extraordinary Licensing Committee

Venue:	Committee Room, Civic Centre, Selby.
Date:	Monday 19 December 2016
Time:	10.00am
Present:	Councillors C Pearson (Chair), K Ellis (Vice-Chair), D Buckle, Mrs J Chilvers, S Duckett, B Marshall, D Peart (substitute for M Hobson), R Sweeting, J Thurlow and Mrs D White.
Apologies:	Councillor M Hobson.
Officers present:	Gillian Marshall, Solicitor to the Council; Tim Grogan, Senior Enforcement Officer; Alison Beaumont, Enforcement Officer; and Janine Jenkinson, Democratic Services Officer
Public:	0
Press:	0

43. DISCLOSURES OF INTEREST

There were no disclosures of interest.

44. PROCEDURE

The Committee noted the Licensing Committee procedure.

45. 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.

46. CONSIDERATION OF A PRIVATE HIRE OPERATOR'S LICENCE (L/16/16)

The Senior Enforcement Officer presented the report which asked the Committee to consider a Private Hire Operator's Licence, following a complaint being received by the council.

The Solicitor to the Council introduced the Committee members and officers present.

The Private Hire Operator in attendance confirmed that he understood the meeting procedure.

The Chair asked the Senior Enforcement Officer to present the report.

Members were invited to ask the Senior Enforcement Officer questions in relation to the report.

The Private Hire Operator was invited to present his response to the Committee.

Members were given the opportunity to ask the Private Hire Operator questions in relation to his representation.

The Senior Enforcement Officer provided the Committee with a summary of the report and the issues for consideration.

The Private Hire Operator was given the opportunity to make a closing statement.

The Senior Enforcement Officer, Enforcement Officer and the Private Hire Operator withdrew from the meeting to allow the Committee to consider the representations put forward and make a decision.

Note - The Committee adjourned the meeting for a five minute break before deliberating; the meeting reconvened and the same members were present.

The Senior Enforcement Officer, Enforcement Officer and the Private Hire Operator re-joined the meeting to hear the decision of the Committee.

Having heard the representations made, the Committee considered the circumstances put forward and decided to revoke the Private Hire Operator's Licence.

RESOLVED:

To revoke the Private Hire Operator's Licence.

Reason for decision:

That on the balance of probability the Private Hire Operator was not a fit and proper person to hold a Private Hire Operator Licence, for the following reasons:

- The Operator had failed to fulfil his duty to maintain clear, accurate records in relation to private hire bookings.*
- The Operator had failed to undertake the appropriate checks and had operated an unlicensed driver and an uninsured vehicle.*
- During the Committee meeting the Operator had provided contradictory statements and the Committee was of the view that the witness statements provided in the report were more credible.*

The meeting closed at 11.40 am.