

Minutes

Licensing Committee

Venue:	Committee Room, Civic Centre, Selby.
Date:	Monday 9 January 2017
Time:	10.00am
Present:	Councillors K Ellis (Chair), D Buckle, Mrs J Chilvers, S Duckett, M Hobson, B Marshall, D Peart (Sub for C Pearson), R Sweeting, J Thurlow and Mrs D White.
Apologies:	Councillor C Pearson.
Officers present:	Gillian Marshall, Solicitor to the Council; Rebecca Ware, Legal Officer; and Daniel Maguire, Democratic Services Officer
Public:	0
Press:	0

47. MINUTES

The Committee considered the minutes of the Licensing Committee meeting held on 5 December 2016 and the Extraordinary Licensing Committee meeting held on 19 December 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 December 2016 and the Extraordinary Licensing Committee meeting held on 19 December 2016.

48. DISCLOSURES OF INTEREST

Councillor D Buckle declared a personal interest in agenda item 9 (minute number 54), as the applicant rented a property from his wife. He advised the Committee that he would leave the meeting during consideration of this item.

49. PROCEDURE

The Committee noted the Licensing Committee procedure.

50. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair advised the Committee that a decision made at the meeting held on 19 December 2016 regarding a private hire operator licence was being appealed to the Magistrates Court.

It was noted that the draft Charitable Collections Policy had been considered by the Executive. The Committee was informed that the Executive did not support the amendment proposed by the Licensing Committee to restrict house-to-house collections to between the hours of 8am and 8pm. It was explained that, although sympathetic to the Committee's view, the Executive felt that the ability of charities to apply for national licences without such a condition would undermine any local condition.

51. APPLICATION FOR A DISCREET PRIVATE HIRE VEHICLE LICENCE (REPORT L/16/17)

The Legal Officer presented the report which asked the Committee to consider granting a discreet Private Hire Vehicle Licence to Mr William Anderson.

The Committee was informed that the applicant had established a private hire business which specialised in providing executive transport for businesses such as airport transfers and business meetings. The application was supported by letters from three customers and the applicant was present to answer questions from the Committee.

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

RESOLVED:

To grant the application for a discreet Private Hire Vehicle Licence to Mr William Anderson.

Reason for decision:

The Committee was required to determine the application in accordance with the Council's Licensing Policy.

52. 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.

53. RENEWAL OF A PRIVATE HIRE DRIVER'S LICENCE (REPORT L/16/18)

The Legal Officer presented the report which asked the Committee to determine an application to renew a Private Hire Driver's Licence. The application was brought before the Committee due to the applicant declaring a conviction which had not previously been reported to the Council, this being a condition of the licence. The conviction related to the fraudulent claiming of Council Tax benefit.

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

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

The Committee considered that the offence was of a serious nature, and that this could be sufficient grounds to refuse the application. However, the Committee also noted that the applicant had no previous history in respect of his licence, that there was no impact on public or passenger safety and to not grant the application for renewal would result in significant financial hardship.

RESOLVED:

- (i) To grant the application to renew a Private Hire Driver's Licence for a period of 12 months; and**
- (ii) To issue a written warning as to future conduct, which will remain valid for a period of 12 months.**

Reason for decision:

The Committee, having considered the Council's Taxi Licensing Policy and in particular the Relevance of Convictions (appendix C) agreed that there were sufficient reasons to deviate from the Policy and grant the application for renewal but for a shorter period of 12 months.

54. APPLICATION FOR A CERTIFICATE TO EXEMPT A HACKNEY CARRIAGE DRIVER FROM ASSISTING PASSENGERS ON MEDICAL GROUNDS (REPORT L/16/19)

Councillor Buckle left the meeting at this point, in connection with his declaration of a personal interest, and did not return.

The Legal Officer presented the report which asked the Committee to determine an application for an exemption from assisting passengers on medical grounds.

The applicant was present, and was able to answer questions from the Committee. The application was supported by a letter from the applicant's General Practitioner which outlined that the applicant suffered from health problems which prevented him from being able to lift and manually handle large or heavy items such as wheelchairs.

The Committee confirmed that, if it was granted, an exemption would apply to the driver and not the vehicle.

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

RESOLVED:

To grant the exemption from assisting passengers on medical grounds.

Reasons for decision:

The Committee was required to determine the application in accordance with the Council's Licensing Policy and relevant legislation.

The meeting closed at 11.12am.