

## Minutes

### Licensing Committee

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Venue:	Committee Room, Civic Centre, Selby.
Date:	Monday 3 July 2017
Time:	10.00 am
Present:	Councillors C Pearson (Chair), K Ellis (Vice Chair), I Chilvers (sub for D Buckle), Mrs J Chilvers, B Marshall, D Peart (sub for Mrs D White), R Sweeting, and J Thurlow.
Apologies:	Councillors D Buckle, Mrs S Duckett, and Mrs D White.
Officers present:	Gillian Marshall, Solicitor to the Council; Alison Beaumont, Senior Enforcement Officer (from minute number 17); Dave Herbert, Enforcement Officer; Sharon Cousins, Licensing Officer; Barbara Patterson, Licensing Assistant; Clare McMichan, Licensing Assistant; and Daniel Maguire, Democratic Services Officer.
Public:	0
Press:	0

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#### 12. MINUTES

The committee considered the minutes of the Licensing Committee meeting held on 5 June 2017.

**RESOLVED:**

**To approve the minutes of the Licensing Committee meeting held on 5 June 2017.**

#### 13. DISCLOSURES OF INTEREST

There were no disclosures of interest.

#### **14. PROCEDURE AND TAXI LICENSING POLICY**

The committee noted the Licensing Committee procedure and the council's Taxi Licensing Policy.

#### **15. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE**

The Chair welcomed Sharon Cousins, who had taken up the post of Licensing Officer.

Members were reminded that a training session for Licensing Committee members and substitute members had been arranged to take place on Tuesday 4 July 2017.

#### **16. PRIVATE SESSION**

It was proposed, and seconded, that the committee sit in private session due to the nature of the business to be transacted.

#### **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.**

#### **17. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE (L/17/5)**

The Senior Enforcement Officer presented the report which asked the committee to determine an application for a Hackney Carriage Driver's Licence. The application had been brought before the committee due to a Disclosure and Barring Service (DBS) check having raised concerns. The Senior Enforcement Officer confirmed that the application had been originally scheduled for the Licensing Committee meeting on 5 June 2017, but the committee had resolved to defer a decision on the application due to the applicant not being present.

It was confirmed that the applicant was not present again, and that numerous attempts by officers to contact him had been unsuccessful. The committee considered if the application should be deferred for a second time. It was agreed that the applicant had been given sufficient notice of the meeting, and that having received no correspondence from him it would not be unreasonable to determine the application in his absence. It was proposed, and seconded, that the application be determined in the absence of the applicant.

**RESOLVED:**

**To determine the application in the absence of the applicant.**

*Reason for decision:*

*The committee was required to determine the application, and had previously deferred a decision due to the non-attendance of the applicant. The committee felt that a further deferral would be unreasonable, having taken into account there having been no correspondence or communication from the applicant.*

The committee considered the report, and the information from the Senior Enforcement Officer. It was noted that the applicant had supplied only two references in support of the application, but that the council's policy required three references. The committee felt that this, in addition to the non-attendance of the applicant, restricted its ability to consider the 'fit and proper' test. The committee was also concerned that it was unable to put questions to the applicant about the results of the Disclosure and Barring Service (DBS) check and the insufficient number of references provided. It was proposed, and seconded, to refuse the application.

**RESOLVED:**

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

*Reason for decision:*

*The committee was not satisfied that the applicant was a 'fit and proper person'; due to his non-attendance at the hearing meaning that the committee was unable to ask questions regarding the DBS check, and the insufficient number of references provided.*

**18. APPLICATION FOR A PRIVATE HIRE OPERATOR'S LICENCE**

The Senior Enforcement Officer presented the report, which asked the committee to determine an application for a Private Hire Operator's Licence. It was explained that the application had been brought before the committee due to the historical background of the proposed operating premises.

The applicant and the Company Secretary were present and were able to answer questions from the committee.

During consideration of the application it was confirmed that the proposed operating premises was vacant and that the applicant had received a licence to occupy the premises for 12-months, which would be signed if the application before the committee was successful.

The applicant, Company Secretary and Senior Enforcement Officer left the meeting whilst the committee considered the application.

It was proposed, and seconded, to grant the application as the committee was satisfied that there did not appear to be any outstanding matters relating to the proposed operating premises.

**RESOLVED:**

**To GRANT the Private Hire Operator's Licence.**

*Reason for decision:*

*The committee was satisfied that the applicant was a 'fit and proper person' and that there were no outstanding concerns regarding use of the proposed operating premises.*

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The meeting closed at 10.57am.