

Minutes

Licensing Committee

Venue:	Committee Room, Civic Centre, Selby.
Date:	Monday 4 September 2017
Time:	10.00 am
Present:	Councillors C Pearson (Chair), K Ellis (Vice Chair), D Buckle, Mrs J Chilvers, Mrs S Duckett B Marshall, R Sweeting, J Thurlow and Mrs D White.
Apologies:	None.
Officers present:	Gillian Marshall, Solicitor to the Council; Sharon Cousins, Licensing Manager; Barbara Patterson, Licensing Assistant; Clare McMichan, Licensing Assistant; and Alice Courtney, Democratic Services Officer.
Public:	0
Press:	0

19. MINUTES

The committee considered the minutes of the Licensing Committee meeting held on 3 July 2017.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 3 July 2017.

20. DISCLOSURES OF INTEREST

Councillor Ellis recorded an interest regarding the review of an Operator's Licence (Agenda Item 10), as he knew the individual and had past business dealings with him, therefore he stated that he would not participate in the discussion or vote regarding the review of the Operator's Licence, and would leave the room when the individual arrived.

21. PROCEDURE AND TAXI LICENSING POLICY

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

22. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

There was no Chair's address.

23. 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.

24. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (L/17/7)

The Licensing Manager presented the report which asked the Committee to determine an application for a Private Hire Driver's Licence. The application had been brought before the committee due to a Disclosure and Barring Service (DBS) check having raised concerns.

The applicant was present and was able to respond to questions asked by the Committee.

The applicant and Licensing Manager left the meeting whilst the committee considered the application.

It was proposed, and seconded, to grant the application. However, because it was not quite 3 years since the applicant's offence, the Committee agreed that conditions should be attached in the form of a 12 month probation period, after which a second DBS check would be undertaken.

RESOLVED:

To APPROVE the application for a Private Hire Driver's Licence, provided that the applicant was given a 12 month probationary period, after which a further DBS check would be carried out.

Reason for decision:

The committee was satisfied that the applicant was a 'fit and proper person' in accordance with the Council's Licensing Policy, however agreed to attach conditions due to the fact that the applicant's offence occurred under 3 years ago.

25. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (L/17/8)

The Licensing Officer presented the report, which asked the Committee to determine an application for a Private Hire Driver's Licence. The application had been brought before the committee due to a Disclosure and Barring Service (DBS) check having raised concerns.

The applicant was present and was able to respond to questions asked by the Committee.

The applicant and Licensing Manager left the meeting whilst the committee considered the application.

It was proposed, and seconded, to grant the application.

RESOLVED:

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

Reason for decision:

The committee was satisfied that the applicant was a 'fit and proper person' in accordance with the Council's Licensing Policy.

26. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE (L/17/9)

The Licensing Manager 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 applicant was present and was able to respond to questions asked by the Committee.

The applicant and Licensing Manager left the meeting whilst the Committee considered the application.

It was proposed, and seconded, to grant the application.

RESOLVED:

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

Reason for decision:

The Committee was satisfied that the applicant was a 'fit and proper' person in accordance with the Council's Licensing Policy.

27. REVIEW OF AN OPERATOR'S LICENCE (L/17/10)

The Licensing Manager confirmed that the owner of the Operator's Licence had not arrived for the meeting; therefore Councillor Ellis remained in the room but did not participate in any discussion.

In light of the individual's failure to attend the meeting, the Solicitor to the Council suggested that the Committee defer the decision. The Committee agreed to defer the decision and insist that the individual attend a Licensing Committee meeting so that the circumstances of the Operator's Licence could be reviewed.

RESOLVED:

To DEFER the decision and insist that the individual attend a future meeting to review their Operator's Licence.

However, a separate issue regarding vehicle insurance emerged that related to the same individual. The Committee agreed to suspend, with immediate effect, 5 taxi vehicle licences thought to be uninsured, until such a time as the individual had provided documentation that confirmed these vehicles were insured. It was decided that if/when documentary evidence was submitted, the reinstatement of the 5 vehicles would be delegated to officers.

RESOLVED:

To suspend 5 vehicles in the Operator's fleet that were thought to be uninsured.

Reason for decision:

The Committee held concerns over public safety with regard to the uninsured vehicles.

The Solicitor to the Council informed the Committee that the review of the licensing policy would begin in the Autumn, after officers had completed their initial work.

The meeting closed at 11.35am.