

Minutes

Licensing Committee

Venue:	Committee Room, Civic Centre, Selby.
Date:	Monday 9 October 2017
Time:	10.00 am
Present:	Councillors K Ellis (Chair), D Buckle, I Chilvers (sub for C Pearson), Mrs J Chilvers, M Hobson, B Marshall, R Sweeting, J Thurlow, P Welch (sub for Mrs S Duckett) and Mrs D White.
Apologies:	Councillors C Pearson (substitute I Chilvers) and Mrs S Duckett (substitute P Welch).
Officers present:	Rebecca Ware, Solicitor; Sharon Cousins, Licensing Manager; and Alice Courtney, Democratic Services Officer.
Public:	0
Press:	0

28. DISCLOSURES OF INTEREST

Councillor Ellis declared a personal interest regarding the review of an Operator's Licence (Agenda Item 7), as he knew the individual and had been involved in 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 during the consideration of the item.

29. MINUTES

The committee considered the minutes of the meeting held on 4 September 2017.

It was highlighted by the Committee that there were two minor spelling alterations required, and that it needed to be clarified on minute 27 that the suspension of '5 vehicles thought to be uninsured' referred to 5 taxi vehicle licences.

RESOLVED:

- i. **To approve the minutes of the Licensing Committee meeting held on 4 September 2017 with the above amendments.**

30. PROCEDURE AND TAXI LICENSING POLICY

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

It was highlighted by the Committee that the wording in the table on page 12 of the agenda was incorrect, and that it should read 'flagged down' instead of 'hailed down'. The Solicitor informed the Committee that a review of the Procedure and Taxi Licensing Policy was scheduled, and that the Committee's views and comments would be noted during that process.

The Committee also pointed out an issue that related to wheelchair fares being refused by taxi drivers, in light of a video being posted on social media that demonstrated the refusal of a wheelchair fare by a number of taxis. The Committee felt that this needed to be looked into.

It was proposed to send a letter to all taxi licence holders that outlined the procedure in relation to wheelchair fares, and informed them that the issue was being looked at and that taxi licences would be revoked if drivers failed to accept a wheelchair fare.

In response, the Solicitor stated that letters regarding the above had previously been sent out, and that licence holders had been made aware of the correct procedure that related to wheelchair fares and therefore did not need to be sent out again.

It was further stated by the Solicitor that, in the first instance, social media videos that demonstrated licence holder misconduct should be referred to the enforcement team and licensing officers, so that these matters could be investigated further.

31. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

There was no Chair's address.

32. 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.

33. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE (L/17/11)

It was decided that agenda item 8 should be taken before item 7, due to the interest declared by Councillor Ellis, who was chairing the meeting.

The Committee was informed that the licence holder had been asked to attend the meeting, but that the individual had stated that they would not be attending this, nor any future meeting of the Committee, therefore the Committee resolved to review the licence in the licence holder's absence.

RESOLVED:

To review the licence in the absence of the licence holder.

The Licensing Manager was asked to present the case in the absence of the licence holder, which asked the Committee to determine whether the licence should be revoked.

The Committee agreed to revoke the licence with immediate effect on the grounds of public safety, as Committee members questioned whether the individual was deemed a fit and proper person.

The Solicitor confirmed that a letter would be sent to the individual that stated the licence had been revoked, and that the individual's badge was required to be returned to the Council.

RESOLVED:

To REVOKE the licence with immediate effect.

Reason for decision:

The committee was not satisfied that the applicant was a 'fit and proper person' in accordance with the Council's Licensing Policy, and agreed to revoke the licence on the grounds of public safety.

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

It was agreed by the Committee that Councillor Sweeting would Chair the meeting for the next item due to the personal interest declared by Councillor Ellis.

RESOLVED:

That Councillor Sweeting be appointed as Chair for the meeting.

At this point in the meeting, Councillor Ellis left the room and did not return.

The Licensing Manager presented the report, which asked the committee to review a Private Hire Operator's Licence. It was explained that the item was being considered following a request from the Committee due to Members being made aware of a change in circumstances affecting the Operator's Licence.

The licence holder was present and was able to answer questions from the Committee. Discussion took place on the change of circumstances outlined in the report and assurances were provided by the licence holder concerning the insurance status of vehicles related to the licence. In reference to the number of vehicles thought to be uninsured, it was clarified that this was four vehicles and not five as previously stated.

The licence holder and Licensing Manager left the meeting whilst the committee considered the review of the licence.

The Committee considered the review, and it was highlighted that the licence holder was not the owner of the four vehicles, or their corresponding licences. It was agreed by the Committee that the licences of the four vehicles should be revoked, and the owner of the licences be informed.

Concerns were also raised that the main reason for the review was the lack of timely communication between the individual and the Licensing team.

The Committee agreed to issue a verbal warning to the individual, and requested that the individual maintain good communication with the Licensing team in the future.

Following the Licensing Manager and licence holder re-entering the room, the Solicitor relayed the Committee's decision.

RESOLVED:

- i. To REVOKE the licences of the four vehicles.**
- ii. To issue a verbal warning to the individual.**

Reason for decision:

- i. The four vehicles were not under the ownership of the individual.*
- ii. The individual had not maintained clear channels of timely communication with the Licensing team.*

The meeting closed at 10.45 am.