

Minutes

Licensing Committee

Venue:	Committee Room, Civic Centre, Selby.
Date:	Monday 6 November 2017
Time:	10.00 am
Present:	Councillors C Pearson (Chair) K Ellis, D Buckle, Mrs J Chilvers, Mrs S Duckett, M Hobson, B Marshall, R Sweeting, J Thurlow, and Mrs D White.
Officers present:	Rebecca Ware, Solicitor; Sharon Cousins, Licensing Manager; Alison Beaumont, Senior Enforcement Officer; Barbara Patterson, Licensing Assistant and Alice Courtney, Democratic Services Officer.
Public:	0
Press:	0

35. APOLOGIES FOR ABSENCE

There were no apologies for absence.

36. MINUTES

The committee considered the minutes of the meeting held on 9 October 2017.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 9 October 2017.

37. DISCLOSURES OF INTEREST

There were no disclosures of interest.

38. PROCEDURE AND TAXI LICENSING POLICY

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

39. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair reported that the Enforcement Team and the Licensing Manager had made a number of unannounced visits to Operators, Taxi Drivers and premises throughout the District. This included an evening spot check which was carried out on taxis waiting in the rank on James Street, where two drivers received verbal advice from the Enforcement Officer in relation to appropriately displaying a badge and licence plate.

It was also highlighted by the Chair that officers had carried out similar unannounced visits with an Officer from the Gambling Commission to premises with fixed betting terminals.

The Chair informed the Committee that the enforcement visits undertaken demonstrated that the Council was taking compliance from licence holders seriously.

Members of the Committee enquired about licence holders' reactions to unannounced visits, and the Senior Enforcement Officer stated that the visits had not received any adverse response. The Senior Enforcement Officer further stated that more unannounced visits were scheduled in the near future, and that they would continue.

The Committee noted that the visits sent the correct message in relation to safeguarding the public.

The Chair reminded the Committee that it had received a report in March 2017 on changes in legislation that concerned wheelchair accessible vehicles. The report related to the ability of licence holders to apply for an exemption from carrying wheelchair passengers on medical grounds.

It was explained that the Licensing Manager would be in contact with the Committee to fix a date for a workshop to enable the Committee to discuss the introduction of a defined process for determining medical exemptions from carrying a wheelchair passenger.

The Chair informed the Committee that the first meeting of the Executive Hire Working Group had taken place, which highlighted that public safety was the most important factor to consider in relation to discreet vehicle licences.

It was recommended that the Committee ought to give consideration to a set of standard conditions that would be placed upon any future discreet vehicle licences that were granted.

40. 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.

41. APPLICATION FOR A DISCREET PRIVATE HIRE VEHICLE LICENCE (L/17/12)

The Licensing Manager presented the report, which asked the Committee to determine an application for a discreet private hire vehicle licence. The applicant was present and responded to questions from the Committee, and photos of the vehicle in question were circulated.

The applicant and the Licensing Manager left the room while the Committee considered the application.

The Committee resolved to grant the discreet private hire vehicle licence, and asked that the applicant be reminded that they were required to carry the taxi licence plates in the vehicle at all times, and that the driver should hold their badge at all times.

RESOLVED:

To GRANT the licence and that the appropriate reminders be given to the applicant as outlined above.

Reason for decision:

The committee was satisfied that the applicant was a 'fit and proper person' in accordance with the Council's Licensing Policy and that public safety would not be compromised by granting the discreet licence.

42. ENFORCEMENT UPDATE (L/17/14)

The Senior Enforcement Officer presented the report, which detailed recent enforcement action taken in relation to a licenced private hire vehicle driver.

The report highlighted that a verbal warning, along with verbal and written advice, had been supplied to the driver.

The Senior Enforcement Officer explained that as the driver had no previous transgressions, no further action was required.

RESOLVED:

To note the report.

43. ENFORCEMENT UPDATE (L/17/13)

The Senior Enforcement Officer presented the report, which detailed recent enforcement action taken in relation to a licenced private hire vehicle driver.

It was confirmed that a written warning was issued, however discussion took place in relation to the amount of time the written warning would remain on the driver's record.

The Committee discussed delegated officer authority and whether cases such as these should be brought to Licensing Committee to determine. However, the Solicitor explained that the Committee had given delegated powers to officers to make decisions that related to cases such as these.

The Senior Enforcement Officer stated that there was no concern in relation to public safety, therefore officers made the decision to exercise their delegated authority.

RESOLVED:

To note the report.

The meeting closed at 10.52 am.