

Minutes

Licensing Committee

Venue:	Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Monday, 14 May 2018
Time:	10.00 am
Present:	Councillors Councillor K Ellis (Chair), Councillor R Sweeting (Vice-Chair), Councillor D Buckle, Councillor J Chilvers, Councillor B Marshall, Councillor J Thurlow, Councillor D White and Councillor P Welch
Officers present:	Jade Reynolds (Solicitor), Sharon Cousins (Licensing Manager) and Alice Courtney (Democratic Services Officer)
Public:	0
Press:	0

93 APOLOGIES FOR ABSENCE

The Democratic Services Officer informed the Committee that apologies had been received from Councillor S Duckett, and that Councillor P Welch was her substitute.

94 MINUTES

The Committee considered the minutes of the meeting held on 9 April 2018.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 9 April 2018.

95 DISCLOSURES OF INTEREST

There were no disclosures of interest.

96 PROCEDURE AND TAXI LICENSING POLICY

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

In response to questions, the Licensing Manager confirmed that the appropriate checks were carried out to confirm that all licenced vehicles carried a first aid kit, as this was a requirement as per paragraph 5.3 of the Policy.

97 CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair reminded the Committee that there was a licensing training session on Wednesday 23 May, 9.30am and that all Committee Members were required to attend.

98 UPDATE FROM THE LICENSING MANAGER

The Licensing Manager informed the Committee that since the last Licensing Committee meeting in April, she had issued four verbal warnings to licenced drivers who had failed to meet their obligation to declare penalty points to the Council. The Committee was informed that the warnings were issued after licenced drivers had become aware of their obligation to notify the Council of changes to licensee circumstances, as outlined in the Council's Taxi Licensing Policy.

The Committee was assured that there had been a good response to the letter that had been sent to all licenced drivers in the Selby District, which reminded them of their duty to read and comply with the Council's Taxi Licensing Policy. The Licensing Manager stated that drivers had until the end of May 2018 to confirm that they had read and understood the Policy.

99 GAMBLING POLICY REFRESH (L/17/31)

The Licensing Manager presented the report, which asked the Committee to note the draft Gambling Policy and provide any comments or recommendations as part of the consultation process.

The Committee was informed that the Council was required to review its Gambling Policy every three years, and that the next review was due by January 2019. It was highlighted that the current Policy had been reviewed, and it was proposed that no significant changes were required.

The Licensing Manager confirmed that the consultation on the revised Gambling Policy would take place between 22 June 2018 and 14 September 2018, and that the date at paragraph 4.1 of the report should read 14 September, not 14 March.

In response to questions, the Licensing Manager stated that the footnote at Appendix A to the report related to fixed odds betting terminals.

The Committee confirmed that it was satisfied with the contents of the report.

RESOLVED:

To note the draft Gambling Policy.

100 PROPOSED CONSULTATION ON CHANGES PROPOSED TO THE CURRENT TAXI LICENSING POLICY (L/17/32)

The Licensing Manager presented the report, which informed the Committee that a number of changes were proposed to the Council's current Taxi Licensing Policy. It was highlighted that the proposed changes would affect two main areas - executive hire (discreet) vehicle licences and wheelchair accessible vehicles (WAVs).

The Committee was informed that the Council was required to undertake a consultation in relation to the proposed changes, and that the results of the consultation would be presented to the Committee.

The report included the recommendations of the Joint Licensing Policy Working Group in relation to the proposed changes, which were considered by the Committee.

RESOLVED:

- i. To endorse the recommendations of the Working Group and authorise the Licensing Manager to undertake consultation on the proposed changes to the Council's Taxi Licensing Policy.**
- ii. To ask the Licensing Manager to present the results of the consultation to the Licensing Committee.**

101 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 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.

102 HACKNEY CARRIAGE DRIVER'S LICENCE (L/17/33)

The Licensing Manager presented the report, which asked the Committee to consider whether a licenced Hackney Carriage Driver remained a 'fit and proper person' to hold a licence in accordance with the Council's Taxi

Licensing Policy. The driver concerned was present.

The report was brought before the Committee as a Driver and Vehicle Licensing Agency (DVLA) check had revealed that the driver had received nine penalty points on their driver's licence as a result of speeding offences, and had failed to declare this to the Council. The Committee asked questions of the driver in relation to the offences.

The driver and Licensing Manager left the room while the Committee considered whether the individual remained a 'fit and proper person' to hold a licence.

The Committee noted that failure to declare the penalty points constituted non-compliance with the Council's Licensing Policy, and it was concerned with the close proximity of when the speeding offences took place. The Committee therefore agreed to issue the driver with a 12-month written warning.

RESOLVED:

To issue a 12-month written warning to the driver.

Reason for decision:

The Committee noted that failure to declare penalty points constituted non-compliance with the Council's Licensing Policy, and was concerned with the close proximity of when the speeding offences took place.

103 PUBLIC SESSION

RESOLVED:

To move back into public session.

104 ANY OTHER BUSINESS

Councillor B Marshall highlighted a number of new laws that had come into force, and asked if the new legislation was reflected in the Council's Taxi Licensing Policy. The Licensing Manager stated that the Policy would be reviewed, and any relevant amendments would be made in accordance with new legislation. It was also highlighted that it was the responsibility of the Police to enforce laws, and that individuals should be aware of their legal obligations.

The Committee requested that the Licensing Manager update the Selby District Council website to include details of any changes to legislation that were relevant to licenced drivers.

RESOLVED:

To ask the Licensing Manager to update the Selby District Council website to include details of any changes to legislation that are relevant to licenced drivers.

The meeting closed at 10.30 am.