

## Licensing Committee

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Venue:	Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Monday, 2 July 2018
Time:	10.00 am
Present:	Councillors K Ellis (Chair), R Sweeting (Vice-Chair), J Chilvers, S Duckett, M Hobson, B Marshall, D Peart, J Thurlow and D White
Officers present:	Sharon Cousins (Licensing Manager), Dawn Drury (Democratic Services Officer), Caroline Fleming (Senior Solicitor) and Palbinder Mann (Democratic Services Manager)
Public:	0
Press:	0

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### 1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Buckle and Thurlow.

### 2 MINUTES

The Committee considered the minutes of the meeting held on 14 May 2018.

#### RESOLVED:

**To approve the minutes of the Licensing Committee meeting held on 14 May 2018.**

### 3 DISCLOSURES OF INTEREST

Councillor Chilvers declared a personal interest in agenda item 10 "Hackney Carriage Driver's Licence" as she knew the driver concerned and therefore stated she would be leaving the meeting during the

consideration of this item.

#### **4 PROCEDURE AND TAXI LICENSING POLICY**

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

#### **5 CHAIR'S ADDRESS TO THE LICENSING COMMITTEE**

The Chair explained that on 17<sup>th</sup> May, the Government had announced that it would be will be reducing the maximum fixed odd betting terminal (FOBT) stake from £100.00 to £2.00. The Chair informed the Committee that this decision had been made following a consultation with the public and the industry. It was noted that the change would be implemented in 2020.

The Chair informed the Committee that the Government had also announced plans for a new alcohol strategy, part of which included commissioning Public Health England to undertake a further review of the evidence for minimum unit pricing (MUP) England. It was noted that there was over-arching national alcohol strategy for England.

The Chair explained that last Friday, the Licensing Manager and Senior Enforcement Officer had carried out some out of hours work checking licences premises and taxis on the rank

#### **6 VERBAL UPDATE FROM THE LICENSING MANAGER**

The Licensing Manager explained that two verbal warnings had been issued since the last meeting to drivers who had who had failed to meet their obligation to declare penalty points to the Council.

The Committee were informed that there were still seven drivers who had not responded to the Council's letter sent to all licenced drivers in the district, which asked them to confirm they had read and understood the Council's Taxi Licensing Policy.

The Committee were of the view that one final warning letter should be sent to the drivers concerned asking them to respond by a specific date otherwise they would be asked to appear before the Licensing Committee. The Committee also felt that the letter should state that if they failed to appear before the Committee when asked then their licence would be considered in their absence.

#### **RESOLVED:**

**To send a letter as outlined above to the seven drivers who had not responded to the Council's letter asking them to confirm they had read and understood the Council's Taxi Licensing Policy.**

#### **7 APPLICATION FOR A DISCREET LICENCE**

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The Licensing Manager presented the report, which asked the Committee to consider an application for a discreet licence. The applicant was present at the meeting and the Committee asked questions of the driver in relation to the application.

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

The Committee were satisfied with the application and agree to grant the exemption with the condition that the vehicle could only be used for executive use.

**RESOLVED:**

**To grant the exemption with the condition that the vehicle could only be used for executive use.**

**REASON FOR DECISION:**

*The Committee were satisfied to grant the exemption for a discreet licence.*

**8 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.**

**9 PRIVATE HIRE DRIVER'S LICENCE**

The Licensing Manager presented the report which asked the Committee to consider whether a licenced Private Hire driver remained a 'fit and proper person' to hold a licence in accordance with the Council's Taxi Licencing Policy. The driver concerned was not present and the Committee were informed that the driver had asked for the report to be considered in his absence.

The Committee felt that they needed to consider the report when the driver was present as they wished to ask him questions in relation to the content in the report. Due to this, the Committee agreed to defer the application.

**RESOLVED:**

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**To defer the application because the Committee wish the driver to be present when the report is considered.**

**REASON FOR DECISION:**

*The Committee wished for the driver to be present so that they could ask him questions in relation to the content in the report.*

**10 HACKNEY CARRIAGE DRIVER'S LICENCE**

*Further to her earlier declaration, Councillor Chilvers left the meeting at this point and did not return.*

The Licensing Manager presented the report which asked the Committee to consider whether a licenced Private Hire driver remained a 'fit and proper person' to hold a licence in accordance with the Council's Taxi Licencing 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 six 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. 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.*

The meeting closed at 10.35 am.