

Licensing Committee

Venue:	Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Monday, 8 October 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, D White and C Pearson
Officers present:	Jade Reynolds (Solicitor), Sharon Cousins (Licensing Manager), Danielle Stanley (Trainee Solicitor); and Dawn Drury (Democratic Services Officer)
Public:	0
Press:	0

34 APOLOGIES FOR ABSENCE

The Democratic Services Officer informed the Committee that apologies had been received from Councillor D Buckle and that Councillor C Pearson was his substitute.

35 MINUTES

The Committee considered the minutes of the meeting held on 10 September 2018.

Councillor White noted that her apologies had been given for the meeting, however Councillor Pearson had substituted on her behalf and this had not been recorded. The Democratic Services Officer was asked to make the amendment.

RESOLVED:

To confirm as a correct record the minutes of the Licensing Committee meeting held on 10 September 2018, subject to the above amendment.

36 DISCLOSURES OF INTEREST

There were no disclosures of interest.

37 PROCEDURE AND TAXI LICENSING POLICY

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

38 CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair informed the Committee that 34 recommendations had been made to Government following a Task and Finish Group review on Taxi and Private Hire Vehicle (PHV) licensing. It was explained that the recommendations included an urgent review of taxi and PHV legislation; with the aim to make licensing a vehicle consistent nationally, in order to help protect vulnerable people.

The Chair reported to the Committee that there had been no verbal warnings given to taxi drivers this month.

Following the questions raised at the September Committee around the licensing of dog walker's, the Licensing Manager confirmed that this was not a licensable activity.

The Chair informed the Committee that the consultation for the definition of a wheelchair accessible vehicle and discreet plate licensing finished today, 8 October 2018, and informed the Committee that the Licensing Manager would present the results of the consultation at the next Licensing Committee in November 2018.

39 PROPOSED HACKNEY CARRIAGE FARE INCREASE

The Licensing Officer presented the report, which asked the Committee to consider and approve a consultation with the Hackney Carriage trade on the proposed increase to the existing Hackney Carriage table of fares by 2.5%, and to note that subject to considering the responses, the Solicitor to the Council will consult with the Chair of Licensing prior to advertising in the local press; and for the Solicitor to the Council to exercise her delegated powers to implement any changes.

The Committee were informed that there had been no increase in the Hackney Carriage table of fares since April 2013 and that the Council had used the consumer price index to calculate the increase.

RESOLVED:

To authorise a consultation on the fares increase of 2.5% as proposed in the report and to note that, subject to considering the responses, the Solicitor to the Council would consult with the Chair of Licensing

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Committee before exercising her delegated powers to implement any increase.

REASON FOR DECISION:

The consumer price index is currently at 2.5% and it is therefore recommended that this is the amount that should be proposed for the Hackney carriage fare increase.

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 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 PRIVATE HIRE DRIVER'S LICENCE

The Licensing Officer presented the report, which asked the Committee to consider whether a licensed Private Hire Driver and Private Hire Operator 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 following a letter to all drivers asking them to confirm they had read and understood Selby’s taxi licensing policy. The Committee was informed that the driver had contacted the Licensing Team to declare three penalty points and at that time he received a verbal warning from the Licensing Manager. It was explained that the driver had then contacted the Licensing Team again advising them that he had received a further three penalty points, he was requested to provide a DVLA access code however the code had not been received.

Additionally, the Licensing Manager informed the Committee that the driver had contacted the Licensing Team in July 2018 to bring to their attention that he had received a further three penalty points on his DVLA licence, which brought the total number of penalty points to nine.

The driver was able to respond to questions asked by the Committee concerning the report.

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

The Committee noted that failure to declare the penalty points and not

providing the DVLA access code 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 was of the opinion that the driver had learned from his mistakes therefore they were satisfied that the driver was a "fit and proper person", but that a 12 month written warning should be issued as failure to declare penalty points and produce a DVLA access code constituted non-compliance with the Council's Licensing Policy; and due to the close proximity of when the speeding offences took place.

The meeting closed at 10.23 am.