

## Minutes

### Licensing Committee

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Venue:	Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Monday, 14 January 2019
Time:	10.00 am
Present:	Councillors K Ellis (Chair), R Sweeting (Vice-Chair), D Buckle, J Chilvers, B Marshall, D Peart and D White
Officers present:	Sharon Cousins (Licensing Manager), Jade Reynolds (Solicitor) and Palbinder Mann (Democratic Services Manager)
Others present:	
Public:	X
Press:	X

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#### **53 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Duckett and Thurlow.

#### **54 MINUTES**

The Committee considered the minutes of the meeting held on 19 November 2018.

#### **RESOLVED:**

**To approve the minutes of the Licensing Committee meeting held on 19 November 2018.**

#### **55 DISCLOSURES OF INTEREST**

There were no disclosures of interest.

## 56 PROCEDURE AND TAXI LICENSING POLICY

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

## 57 CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair informed the Committee of the following issues in his address:

- No verbal warnings had been given by office since the last meeting;
- Licensing and Enforcement officers had been looking into reported advertising of lift cars on social media Anyone who had been reported so far had been visited and warned against doing such activity and this had also been followed up by a letter. Information warning people to use only licensed vehicles had been shared on Selby Council's social media during December and January and had also been shared with York regarding these matters.
- December's Taxi Licensing Forum meeting had been a great success. Another two meetings have been booked for the end of May, separating Private Hire and Hackney Carriage meetings; invites will follow closer to time.
- The taxi licensing consultation has been extended until the 4<sup>th</sup> February 2019. Results of this will be brought back to April's committee.

Following a proposal from the Licensing Manager, the Committee discussed whether licenced Hackney Carriage or Private Hire drivers who had not notified the Council of speeding offences within the required timeframe were needed to be brought before the Committee. The Committee agreed that drivers should only appear before the Committee should have six points or more unless there were excessive speeds involved or any other scenario which officers felt was more serious and thought should be brought to the attention of the Committee

The Chair informed the Committee that the driver for agenda item eight would now be attending the meeting therefore the item would be deferred to the next meeting to allow him to attend with this solicitor.

### **RESOLVED:**

**To agree that only Hackney Carriage or Private Hire drivers who have not notified the Council of speeding offences only appear before the Committee should they have six points or more unless there were excessive speeds involved or any other scenario which officers felt was more serious and thought should be brought to the attention of the Committee.**

**58 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.**

**59 APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE**

The Licensing Manager presented the report, which asked the Committee to determine an application for a Private Hire Driver's Licence. It was noted that the application had been brought before the Committee due to a Disclosure and Barring Service (DBS) check highlighted previous convictions during the application process.

The applicant was present and was able to respond to questions asked by the Committee concerning the report including the previous convictions..

The applicant and Licensing Manager left the meeting whilst the Committee considered the application.

The Committee considered that the convictions were of concern however they had occurred a long time ago. The Committee considered that the evidence presented demonstrated that the applicant was a 'fit and proper person' to be a licensed Private Hire driver.

**RESOLVED:**

**To grant the application for a Private Hire Driver's Licence.**

**REASON FOR DECISION:**

*The Committee was satisfied that the applicant was a 'fit and proper' person in accordance with the Council's Licensing Policy.*

**60 PRIVATE HIRE OPERATOR, PROPRIETOR AND DRIVER AND HACKNEY CARRIAGE DRIVER AND PROPRIETOR**

As explained during the Chair's address, this item was deferred until the next meeting to allow the driver to attend with this Solicitor.

**61 HACKNEY CARRIAGE DRIVER AND PRIVATE HIRE DRIVER'S**

## **LICENCE**

The Licensing Manager presented the report, which asked the Committee to consider whether a licensed Hackney Carriage Driver and Private Hire 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 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 been contacted by the Licensing Team advising him that the annual DVLA licence check was due and following this check, it had been revealed that the driver had received a further three penalty points on his DVLA licence, which had not been declared to the authority.

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 accepted the explanation provided by the driver concerning failing to provide updated information regarding this penalty point and agreed to take no further action.

### **RESOLVED:**

**To agree to take no further action.**

### **REASON FOR DECISION:**

*The Committee accepted the explanation provided by the driver concerning the failure to provide updated information regarding his penalty points.*

## **62 APPLICATION FOR A DISCREET PLATE LICENCE**

The Licensing Manager presented the report, which asked the Committee to consider an application for a discreet plate Private Hire Vehicle Licence.

The Committee was informed that the applicant had established a private hire business which specialised in providing executive transport for businesses for their visitors, senior staff members and to business meetings. The applicant was present at the meeting and the Committee asked questions of the driver in relation to the application.

The applicant and the Licensing Manager left the meeting whilst the Committee considered the application.

The Committee were satisfied with the application.

**RESOLVED:**

**To grant the application for a discreet plate Private Hire Vehicle Licence.**

**REASON FOR DECISION:**

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

The meeting closed at 10.45 am.