

Minutes

Licensing Committee

Venue:	Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Monday, 6 June 2022
Time:	10.00 am
Present:	Councillors R Sweeting (Chair), J Chilvers (Vice-Chair), I Chilvers, C Pearson, M Jordan, J Mackman, P Welch, S Duckett and J Cattanach
Officers present:	Jade Reynolds, Solicitor, Sharon Cousins, Licensing Manager and Dawn Drury, Democratic Services Officer

1 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors M McCartney and J Duggan.

2 MINUTES

The Committee considered the minutes of the meeting held on 14 March 2022.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 14 March 2022.

3 DISCLOSURES OF INTEREST

There were no disclosures of interest.

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 Committee were informed that on Friday 6 May 2022 a taxi

enforcement event had taken place between the Council's Licensing and Enforcement teams, the Driver and Vehicle Standards Agency (DVSA), and the Police.

Members heard that in total twelve vehicles had been checked, five of which had been found not to comply with some elements of the Selby taxi licensing policy; however, all issues had since been resolved. It was noted that one vehicle had received a delayed prohibition notice, issued by DVSA; the matter had been resolved within the specified timeframe therefore it was not necessary for it to be escalated to a full prohibition.

The Chair highlighted that a soft consultation with the hackney carriage trade on a review of hackney carriage fees had been approved by the Executive on 26 May 2022, this coincided with the local government reorganisation and the recent increase in fuel prices. Officers assured Members that they would keep the Licensing Committee updated on any outcomes from the consultation.

6 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.

7 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Licensing Manager informed the Committee that the driver concerned had confirmed by email that they would not be attending the meeting. Following discussions, the Committee were in agreement that the driver had been given sufficient notice of the meeting, had been warned that the meeting could go ahead in their absence; and that due to the seriousness of the offence it would not be unreasonable to determine the case in their absence. It was proposed, and seconded, that the case be determined in the absence of the driver.

RESOLVED:

To consider the case in the absence of the driver.

Reason for decision:

The Committee felt that due to the seriousness of the offence that the matter must be dealt with immediately.

The Licensing Manager presented the report, which asked the Committee

to consider whether a licensed Hackney Carriage and Private Hire Driver remained a “fit and proper person” to hold a licence in accordance with the Council’s Taxi Licensing Policy.

It was explained that the report was brought before the Committee as the driver had contacted the Licensing Team to bring to their attention that they had received three penalty points on their driving licence. The offence had taken place in March 2022 however the driver did not declare the points until April 2022; this was outside the specified timeframe of three days contained within the Taxi Licensing Policy in force at the time of the offence.

It was further explained that when the driver provided the Driver and Vehicle Licensing Agency (DVLA) access code to the Licensing Team, their check showed that the driver now had nine penalty points on their DVLA driving licence, and therefore the matter had to come before the Licensing Committee.

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

The Committee considered that the evidence presented demonstrated that the applicant was a ‘fit and proper person’ to be a licensed Hackney Carriage and Private Hire driver. However, it was noted that failure to declare penalty points within the specified timeframe constituted non-compliance with the Council’s Taxi Licensing Policy. Members agreed that a written warning letter should be sent to the driver to emphasise the concerns of the Committee.

RESOLVED:

- i. That the Hackney Carriage and Private Hire Driver remained a ‘fit and proper’ person to hold a Hackney Carriage and Private Hire Driver’s Licence.**
- ii. That a written warning letter be issued to the driver to emphasise the concerns of the Committee.**

Reason for decision:

The Committee was satisfied that the applicant was a ‘fit and proper’ person in accordance with the Council’s Licensing Policy but wished to emphasise to the driver the seriousness of the matter.

The meeting closed at 10.40 am.