

Minutes

Licensing Committee

Venue:	Committee Room, Civic Centre, Selby.
Date:	Monday 5 March 2018
Time:	10.00 am
Present:	Councillors C Pearson (Chair), K Ellis, D Buckle, I Chilvers (substitute for J Chilvers), S Duckett, B Marshall, R Sweeting, J Thurlow and D White.
Officers present:	Gillian Marshall, Solicitor to the Council; Jade Reynolds, Solicitor; Sharon Cousins, Licensing Manager; Alison Beaumont, Senior Enforcement Officer; David Herbert, Enforcement Officer, and Alice Courtney, Democratic Services Officer.
Public:	0
Press:	0

72. APOLOGIES FOR ABSENCE

The Democratic Services Officer informed the Committee that apologies had been received from Councillors J Chilvers and M Hobson, and that Councillor I Chilvers would be acting as the substitute for Councillor J Chilvers.

73. MINUTES

The Committee considered the minutes of the meeting held on 5 February 2018.

RESOLVED:

To approve the minutes of the Licensing Committee meeting held on 5 February 2018.

74. DISCLOSURES OF INTEREST

There were no disclosures of interest.

75. PROCEDURE AND TAXI LICENSING POLICY

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

76. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

There was no Chair's address.

77. 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.

78. HACKNEY CARRIAGE DRIVER'S LICENCE (L/17/25)

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 Licensing Policy. The driver concerned was present.

It was noted that consideration of the item had been deferred on two occasions as the driver had informed officers that they were unable to attend the Licensing Committee meetings on 5 February and 19 February 2018. The Committee previously agreed to defer the item to allow the individual to attend to present their case.

The driver explained the circumstances of the alleged offence and informed the Committee that, following a preliminary Magistrates hearing, the case would be heard at Crown Court in April 2018. The Committee was also informed that the driver had been placed on unconditional bail following their Magistrates hearing.

The driver responded to questions asked by the Committee in relation to the alleged offence, and the contents of the report was summarised by the Licensing Manager and the driver.

The Licensing Manager and the driver left the room while the Committee considered whether the driver remained a 'fit and proper person' to hold a Hackney Carriage Driver's Licence in light of the information contained in the report and the information presented.

It was agreed that the information presented and the information contained in the report raised concerns over public safety, therefore the Committee resolved to revoke the individual's Hackney Carriage Driver's Licence with immediate effect in the interests of public safety. The Committee asked that neighbouring authorities be informed of the decision.

The Solicitor to the Council relayed the decision to the individual concerned and highlighted that they had the right to appeal the decision, but that any appeal may not be considered until after the Crown Court hearing in April 2018. The individual was also informed that they could request the case to be reconsidered by the Licensing Committee if found not guilty at the Crown Court hearing.

RESOLVED:

- i. **To REVOKE the Hackney Carriage Driver's Licence with immediate effect.**
- ii. **To ask officers to inform neighbouring authorities of the decision in the interests of public safety.**

Reason for decision:

The Committee noted that the alleged offence was serious, and in the interests of public safety agreed to revoke the licence.

The meeting closed at 10.50 am.