

Minutes of a meeting of the General Purposes Licensing Committee on Thursday 17 March 2022



Committee members present:

Councillor Clarkson (Chair)	Councillor Cook
Councillor Coyne	Councillor Jarvis
Councillor Miles	Councillor Mundy
Councillor Rehman	Councillor Thomas
Councillor Upton	Councillor Wade

Officers present for all or part of the meeting:

Alison Daly, Lawyer
Richard Adams, Community Safety Service Manager
Richard Masters, Senior Licensing Compliance Officer
Alice Courtney, Committee and Member Services Officer

Apologies:

Councillor(s) Humberstone, Dunne and Gant sent apologies.

16. Declarations of interest

None.

17. Review of the Policy on the Relevance of Warnings, Offences, Cautions and Convictions

The Head of Regulatory Services and Community Safety had submitted a report to seek agreement and recommendation to Council of the Policy on the Relevance of Warnings, Offences, Cautions and Convictions (Taxi Licensing).

The Senior Licensing Compliance Officer presented the report and appendices. He highlighted that the Council had a duty to carry out licensing functions in respect of Hackney Carriage and Private Hire vehicles, drivers and operators. He added that the overriding aim of the Local Authority licensing of the Taxi and Private Hire trades was to protect the public, therefore the protection of the public was at the forefront when determining individuals' 'fit and proper' status.

The Senior Licensing Compliance Officer advised that the Department for Transport published Statutory Taxi and Private Hire Vehicle Standards in 2020 which the Council must have regard to. He added that there was an expectation on local authorities to implement the recommendations of the Standards unless it could demonstrate a

compelling reason not to do so. He said that the final policy presented implemented the recommendations of the Standards and the best practice guidance.

The following items were brought to the Committee's attention:

- The warning system had not changed, but had been rewritten for clarity and transparency.
- The Council must be notified in writing of the following within 48 hours of the licence holder receiving formal notification (*updated from the 7 days previously required*): all convictions, cautions, warnings, reprimands, anti-social behaviour injunctions, community protection notices, criminal behaviour notices, community service orders, restraining orders, fixed penalties (including traffic offences), court orders, other notices associated with child or adult safeguarding concerns, driver education courses, disqualifications from driving, or another notice or legal matter pertaining to a criminal or anti-social behaviour incident.
- The Council criteria related to the 'fit and proper person' had been revised as recommended by the Statutory Standards.
- Safeguarding was now explicitly referenced as being 'everybody's responsibility'.
- The Policy was subject to public consultation from 03 December 2021 to 14 January 2022, during which time seventeen responses were received.

In response to questions, the Senior Licensing Compliance Officer:

- Confirmed that a record of all complaints was kept, regardless of whether further action was taken or not. This was to mitigate against cases where there was not enough evidence to take further action, as it helped to identify any patterns.
- Advised that drivers could install CCTV in their licensed vehicle, but there was no requirement to do so. Where licence holders did install CCTV, they were required to register it with the ICO.
- Said that the number of consultation responses received was in line with what was expected. He confirmed that the consultation had been advertised on social media.
- Advised that, in relation to enforcement matters, it was recommended that members of the public contact the Council to submit a complaint if required and the appropriate enforcement action would be taken.
- Confirmed that a reference to the new Highway Code could be included in the knowledge test booking confirmation which was sent to prospective licence holders to ensure their awareness. He added that information on the Code could be incorporated into the knowledge test to confirm applicants' understanding. The Community Safety Service Manager added that knowledge about cyclists and cycle safety could also be incorporated into the knowledge test.

In response to a question, the Community Safety Service Manager confirmed that the Police did use their Common Law Police Disclosure powers to advise the Council when they believed a licensee presented a risk to the travelling public and advised that the Council had a good working relationship with the Police which meant that information was shared quickly.

The Committee resolved to:

- **Agree** the final Policy on the Relevance of Warnings, Offences, Cautions and Convictions.
- **Recommend** the final Policy on the Relevance of Warnings, Offences, Cautions and Convictions for adoption by Council.

18. Minutes of the previous meeting

The Committee agreed to **approve** the minutes of the meeting held on 07 February 2022 as a true and accurate record.

19. Dates and times of meetings

The Committee noted the dates and times of future meetings.

The meeting started at 6.15 pm and ended at 6.32 pm

Chair

Date: Thursday 19 May 2022

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council's Constitution.

This page is intentionally left blank