



Taxi & General Licensing Committee

Minutes of a meeting of the Taxi & General Licensing Committee held in The Jeffrey Room at The Guildhall, St Giles Street, Northampton, NN1 1DE on Tuesday 3 October 2023 at 6.00 pm.

Present:

Councillor Mike Warren (Chair)
Councillor Brian Sargeant (Vice-Chair)
Councillor Sally Beardsworth
Councillor Lizzy Bowen
Councillor Alan Chantler
Councillor Paul Clark
Councillor Maggie Clubley
Councillor Janice Duffy
Councillor Gareth Eales
Councillor Terry Gilford
Councillor Cheryl Hawes

Apologies for Absence:

Councillor Michael Brown
Councillor Mark Hughes
Councillor Richard Solesbury-Timms
Councillor Winston Strachan

Officers:

Nicholas Sutcliffe, Licensing Manager (Rural Area)
Louise Faulkner, Licensing Manager (Urban Area)
Carol Gamble, Head of Trading Standards & Licensing
James Chadwick, Principal Lawyer - Legal Services
Richard Woods, Democratic Services Officer

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

The Minutes of the meeting of the Committee held on 18 April 2023 were agreed as a correct record.

4. Chair's Announcements

The Chair made the following announcements:

1. Members of the public were permitted to film, broadcast, and report on the meeting, subject to the efficient running of the meeting not being affected.
2. Only those people who had registered in advance with Democratic Services were permitted to address the meeting.
3. Members of the public were requested not to call out during the Committee's discussions on any item.
4. There were no planned fire drills so in the event of an alarm sounding, evacuation instructions would be given by officers.
5. That it be requested that any devices be switched off or onto silent mode.
6. Due to technical issues, the meeting was unable to be webcast on the Council's corporate YouTube channel, for which the Chair apologised on behalf of the Council.

5. **Requests to Address the Meeting**

The following members of the local taxi trade had registered to speak in advance of the meeting, and addressed the Committee in opposition to the Private Hire and Hackney Carriage Licensing Policy:

1. Stuart Russell
2. Kevin Willsher
3. Steve Ward
4. Muhammad Jadoon
5. Mohammed Dogan
6. Pervez Akhter
7. Shafqat Shah
8. Abs Muhit

In addressing the Committee, the public speakers set out a range of views in opposition to the draft policy, most notably in opposition to the proposed penalty points system, and also the proposed requirement that any licenced driver or applicant who was a foreign national and had not been continuously resident in the United Kingdom for more than 5 years since the age of 18 must obtain and produce (at their expense) a certificate of good conduct authenticated by the relevant embassy for each and every country in which they have resided for more than 3 months from the age of 18 until arrival in the UK. The public speakers articulated a

number of views including that the proposals contained within the policy were discriminatory and should be reconsidered by the Council prior to final approval of the policy.

6. **Private Hire and Hackney Carriage Licensing Policy 2023**

The Committee considered the report of the Licensing Manager which sought approval of the new West Northamptonshire Council Private Hire Vehicle and Hackney Carriage and Licensing Policy post-consultation, considering the responses received during the consultation process.

In introducing the report, the Licensing Manager reiterated to Members that the policy and its contents had already previously been approved by the Committee for consultation several months ago, and that a full public consultation with a range of stakeholders, including the local taxi trade and the relevant trade unions, had been undertaken.

In response to questions from the Committee regarding how the proposal relating to the provision of a certificate of good conduct would work in practice, the Licensing Manager explained that an applicant's five year address history would be captured as part of the Enhanced DBS check, and that the certificate of good conduct would only be necessary where there are any gaps in this address history.

On the subject of DBS checks, the Licensing Manager reiterated that the new policy would attribute "Other Relevant Information" disclosed by the Police as part of an Enhanced DBS check, such as matters resulting in No Further Action or a Not Guilty verdict at court, with the same weight as information disclosed that related to convictions, cautions and other criminal disposals. Members of the Committee expressed concern at this and stated a view that this could potentially prevent applicants who were otherwise free of a criminal record from gaining a licence. In response to this, the Licensing Manager underlined that each case would be dealt with on its own merits and that the disclosure of "Other Relevant Information" on an Enhanced DBS check would not necessarily prevent an applicant from gaining a licence, but that it would form an extra consideration for a Licensing Sub-Committee when deciding whether an applicant was a "fit and proper person" to hold a licence.

Having considered the addresses of the public speakers and remarked that the consultation responses were difficult to read due to the text size, Members of the Committee expressed a view that further time was required to allow Members to consider the consultation responses, and that further work was also required to incorporate some of the issues raised by the taxi trade into the final policy prior to a decision being made on the approval of the policy.

It was proposed by Councillor Mike Warren and seconded by Councillor Lizzy Bowen that a decision on the approval of the draft Private Hire and Hackney Carriage Licensing Policy be deferred to a future meeting of the Committee, to allow additional time for members of Taxi & General Licensing Committee to consider the consultation responses and their implications prior to a decision being made on the recommendations, and to allow officers to incorporate suggested practical

amendments within the body of the draft policy prior to further consideration of the draft policy. The motion was put to the vote with eleven votes cast in favour of the proposal and none cast against, therefore the motion was carried.

Resolved

(1) That a decision on the draft Private Vehicle Hire and Hackney Carriage Licensing Policy be deferred for the following reasons:

1. To allow additional time for members of Taxi & General Licensing Committee to consider the consultation responses and their implications prior to a decision being made on the recommendations.
2. To allow officers to incorporate suggested practical amendments within the body of the draft policy prior to further consideration of the draft policy.

7. **Urgent Business**

There were no items or urgent business.

The meeting closed at 8.03 pm

Chair: _____

Date: _____