

**LICENSING REGULATORY
COMMITTEE**

1.00 P.M.

7TH FEBRUARY 2019

PRESENT: Councillors Colin Hartley (Chairman), Terrie Metcalfe (Vice-Chairman), Ian Clift, Mel Guilding, Tim Hamilton-Cox, Janice Hanson, Robert Redfern and Sylvia Rogerson (substitute for Joan Jackson)

Apologies for Absence:

Councillors Susie Charles and Joan Jackson

Officers in Attendance:

Jennifer Curtis	Licensing Manager
Luke Gorst	Solicitor
Sheila Acayo	Legal Assistant
Jane Glenton	Democratic Support Officer

18 MINUTES

The Minutes of the meeting held on 22nd November 2018 were signed by the Chairman as a correct record.

19 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business authorised by the Chairman.

20 DECLARATIONS OF INTEREST

There were no declarations of interest.

21 EXEMPT ITEM

The Chairman advised Members that it had been recommended to exclude the press and public from the meeting for the following item of business on the ground that it could involve the possible disclosure of exempt information.

It was moved by Councillor Redfern and seconded by Councillor Guilding:

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the ground that it could involve the possible disclosure of exempt information, as defined in Paragraph 1 of Schedule 12A of that Act.”

A vote was taken and the motion was unanimously carried.

Resolved:

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the ground

that it could involve the possible disclosure of exempt information, as defined in Paragraph 1 of Schedule 12A of that Act.

22 APPLICATION FOR THE RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE - GRAHAM RICHARD LEE (PAGES 4 - 7)

The Committee received the report of the Licensing Manager to enable Members to consider whether to renew Mr. Lee's private hire driver's licence, as amended to a dual driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 22, in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

That Mr. Lee's private hire driver's licence, amended to a dual driver's licence, as requested, be renewed, with a letter of reprimand for driving without a private hire driver's licence.

23 DISCLOSURE AND BARRING SERVICE CHECKS (DBS CHECKS)

The Committee received the report of the Licensing Manager to ask Members to consider proposed changes to the Licensing Service by amending terms and conditions so that all applicants for private hire and hackney carriage driver's licences signed up to the Disclosure and Barring update service.

It was reported that, currently, applicants completed a Disclosure and Barring Service application upon initial application and every 3 years thereafter. Licensing staff completed identity checks before submitting the application to the Disclosure and Barring Service for background checks to be carried out and a certificate issued.

Applicants who were applying to renew their licence received documents 3 months in advance of their licence expiry date, including Disclosure and Barring Service instructions,

Despite the early notice and reminder, the Licensing Service had been experiencing issues with certificates not being returned before the expiry of the licence. In such circumstances, a licence would not be renewed until the required Disclosure and Barring Service clearance had been received. This could lead to the driver being unable to work for a period of a few weeks or more.

It was anticipated that if all drivers used the Disclosure and Barring update service, the problems experienced by Licensing Services would be eliminated, except where the information indicated that there had been a change since the last certificate. By using the update service, drivers would be provided with the assurance that, unless their circumstances changed, they would always have a valid Disclosure and Barring Service certificate.

The options available to Members were set out in the report as follows:

Option 1 To make no changes to current procedure.

Option 2 To amend new and renewal application procedures for private hire and hackney carriage drivers to include a mandatory requirement for all drivers to sign up to the Disclosure and Barring Service update service.

Following questions, it was proposed by Councillor Clift and seconded by Councillor Hanson:

“That Option 2 be approved.”

It was then proposed by Councillor Hanson:

“That Option 2 be approved, pending a 30-day consultation period with the Trade, the outcome of which is to be reported to the next meeting of the Committee.”

With the agreement of the meeting and his seconder, Councillor Clift accepted this as a friendly amendment.

At the conclusion of the debate a vote was taken and the motion was unanimously carried.

Resolved:

That new and renewal application procedures for private hire and hackney carriage drivers be amended to include a mandatory requirement for all drivers to sign up to the Disclosure and Barring Service update service, pending a 30-day consultation period with the Trade, the outcome of which is to be reported to the Committee.

Chairman

(The meeting ended at 2.17 p.m.)

**Any queries regarding these Minutes, please contact
Jane Glenton, Democratic Services - telephone (01524) 582068, or email
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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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