

**NORTHAMPTON BOROUGH COUNCIL**

**Licensing Committee**

Your attendance is requested at a meeting to be held at  
The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.  
on Tuesday, 6 December 2016  
at 6:00 pm.

**D Kennedy**  
**Chief Executive**

**AGENDA**

- 1 Apologies**
- 2 Minutes** (Pages 1 - 3)
- 3 Deputations / Public Addresses**
- 4 Declarations of Interest**
- 5 Matters of Urgency which by reason of special circumstances the chair is of the opinion should be considered**
- 6 Exclusion of Public and Press**  
The Chair to Move:  
“that the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12a to such act.”
- 7 Review of Private Hire Driver's Licence** (Pages 4 - 13)  
(Copy Herewith)
- 8 Review of Private Hire Driver's Licence** (Pages 14 - 22)  
(Copy Herewith)
- 9 Review of Private Hire Driver's Licence** (Pages 23 - 35)  
(Copy Herewith)
- 10 Review of Private Hire Driver's Licence** (Pages 36 - 42)  
(Copy Herewith)
- 11 Review of Private Hire Driver's Licence** (Pages 43 - 50)  
(Copy Herewith)

**Public Participation**

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

## NORTHAMPTON BOROUGH COUNCIL

### LICENSING COMMITTEE

Tuesday, 18 October 2016

**PRESENT:** Councillor Larratt (Chair); Councillor Sargeant (Deputy Chair); Councillors Caswell, Ansell, M Hill, Culbard, Duffy and Beardsworth

**OFFICERS:** Mebs Kassam (Solicitor), Ian Ellis (Licensing Enforcement Officer), Louise Faulkner (Senior Licensing Officer), Daniel Kalley (Democratic Services Officer)

#### 1. APOLOGIES

Apologies were received from Councillors G Eales, Flavell and Choudary.

#### 2. MINUTES

The Solicitor confirmed that item 11, from the previous meeting agenda held on 13<sup>th</sup> September, had been moved to the Licensing Sub Committee to be held on 27<sup>th</sup> October 2016.

The minutes of the meeting held on 13<sup>th</sup> September 2016 were agreed and signed by the Chair, save for the correction that Councillors Culbard and Sargeant were in attendance at the meeting.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

**RESOLVED:** That under Item 6 Mr S Wilshire, Mr K Wilshire, Mr J Matthews and Mr S Ward were granted leave to address the Committee and under Item 8 Mr S Ward was granted leave to address the Committee.

#### 4. DECLARATIONS OF INTEREST

There were none.

#### 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

#### 6. TAXI UNMET DEMAND SURVEY

The Senior Licensing Officer submitted a report to the Committee to give consideration as to whether to carry out an Unmet Demand Survey to determine if the current number of licensed Hackney Carriage vehicles should be capped. This report was requested by the Committee at the previous meeting held on 13<sup>th</sup> September 2016.

It was explained that the Department for Transport guidance, as attached in Appendix A of the report, stated that if the local authority was to restrict the number of Hackney Carriage vehicles, then a survey needed to be carried out. The Senior Licensing Officer commented that the timescales to complete this survey were flexible. It was confirmed that talks would continue with the taxi trade to agree upon the best time to commence the survey.

Mr K Wilshire addressed the Committee and welcomed the report's recommendations. He commented that it was difficult for Hackney Carriage drivers to earn a living in comparison

with private hire drivers, who worked for taxi firms. He suggested that there were not enough taxi ranks within the Borough to allow Hackney Carriage drivers to increase their ability to trade. In addition he urged that the survey be carried out and was confident it would show that the number of hackney carriage vehicles needed to be capped.

Mr S Wilshire stated that the number of Hackney Carriage vehicles in the Borough had increased drastically since 1997, which had a detrimental impact on a driver's ability to earn a living. If the number of Hackney Carriage vehicles could be capped then this would in turn assist with reducing fuel emissions. He stated that overall Hackney Carriage drivers were in favour of capping the number of vehicles and urged the Committee to go ahead with the survey.

Mr J Matthews, the chair of the Hackney Association addressed the Committee and stated that the association were pushing for some form of cap on Hackney Carriage vehicles. He commented that there was a lack of control over some of the taxi ranks due to the increased number of vehicles. In addition he suggested that the earning potential of drivers had decreased over the years, which had meant that drivers were unable to purchase new vehicles and continue trading as a driver.

Mr S Ward echoed earlier statements and confirmed that the number of Hackney Carriage and Private Hire vehicles had increased drastically over the past twenty years. In addition he stated that this was without the introduction of Uber in the Borough. With regards to the number of Private Hire vehicles he acknowledged that the Council were not in a position to affect those numbers and mentioned that Milton Keynes had tried to implement measures to restrict Private Hires, however this was also unsuccessful. In summing up he urged the Committee to agree to the survey.

Councillors welcomed the report and thanked the speakers for their points. In addition they asked officers to confirm progress on the report from the Overview and Scrutiny Committee on taxi ranks. Officers explained that they were in discussions with Hackney Association with regards to the recommendations made and a report would be presented to Council in due course.

The Chair asked officers to ensure that they looked into the possibility of including a taxi rank in the proposed coach facility within the new Greyfriars development.

#### **RESOLVED:**

That the Committee agrees to the employ the services of a specialist consultant company to undertake a comprehensive unmet demand survey to determine if capping the number of licensed hackney vehicles for Northampton would be reasonable.

### **7. ASSOCIATION OF CRIMINAL RECORD CHECKS OFFICE POLICY**

The Senior Licensing Officer submitted a report to give consideration to adopt policy allowing licensing officers to carry out an Association of Criminal Record Office check (ACRO) in respect of those individuals from EU and non EU countries. The Committee were directed to Appendix A outlining the procedure as to when a check would need to be carried out, however this could be deviated from depending on the individual in question.

The Committee welcomed the report and noted that this check would not only provide additional safeguard, but would protect the reputation of current drivers.

In response to questions from the Committee the Senior Licensing Officer responded as follows:

- This check would only need to be carried out once. If the licensing team felt the need to ask for further intelligence then they would do so.
- The check added a further safeguarding facet to the assessment of whether an individual was a “fit and proper” person.

**RESOLVED:**

It was agreed that the ACRO policy be adopted with immediate effect and officers would have delegated powers to depart from the policy depending on individual circumstances.

**8. ALTERNATIVE DRIVER ASSESSMENT PROCEDURE FOR NEW PRIVATE HIRE/HACKNEY DRIVERS LICENCE**

The Licensing Enforcement Officer submitted a report for consideration to give effect for an alternative enhanced driver assessment. The Driver and Vehicle Standards Agency (DVSA) were, from the 1 January 2017 no longer providing taxi driver assessments services. The Licensing Enforcement Officer outlined a number of organisations that were accredited by the DVSA to carry out assessments.

Mr S Ward addressed the Committee and stated that a course of equal recognition needed to be in place, ensuring that all drivers were of the required standard to carry members of the public.

The Chair welcomed the report and stated that to have no enhanced driver test was a retrograde step. In addition he commented that any provider carrying out enhanced tests needed to be accredited.

**RESOLVED:**

It was agreed to amend the policy with the requirement that an accredited alternative enhanced driver assessment provider be used in place of the existing DVSA assessment.

**9. EXCLUSION OF PUBLIC AND PRESS**

None required.

The meeting concluded at 6:59 pm

# Agenda Item 7

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Agenda Item 8

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Agenda Item 9

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Agenda Item 10

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# Agenda Item 11

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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