

NORTHAMPTON BOROUGH COUNCIL

TAXI & GENERAL LICENSING COMMITTEE

Tuesday, 8 September 2020

PRESENT: Councillor Flavell (Chair); Councillor Ansell (Deputy Chair); Councillors Aziz, Beardsworth, Duffy, Haque, Kilbride, Larratt and Walker

APOLOGIES: Councillor Davenport and Councillor G Eales

1. APOLOGIES

Apologies were received from Councillors Davenport and G Eales.

2. MINUTES

The minutes of the meeting held on the 6 August 2020 were agreed and signed as an accurate record.

3. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

4. DECLARATIONS OF INTEREST

Councillor Haque declared a personal interest on item 8 and stated that he would leave the meeting at this juncture.

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

There were none.

6. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100I 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.

The Motion was Carried.

7. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

At the Chair's invitation, the applicant and his representative introduced themselves to the Licensing Committee. Then the Chair asked members and officers present to introduce themselves to the applicant. The applicant was asked if they recognised any of the committee, and members and officers were asked if they knew the applicant, to which the applicant and members confirmed they did not know one another.

The Chair invited the Senior Licensing Enforcement Officer to present the report as previously circulated prior to the meeting. He explained that the applicant applied to the Licensing Department for a Private Hire Driver's Licence on 6 January 2020. On 2 July 2020 the applicant submitted a copy of their DBS certificate, which detailed that the applicant was arrested on suspicion of 'possessing an indecent photograph or pseudo-photograph of a child' and that the investigation was ongoing to establish whether he should be charged with an offence.

The Senior Licensing Enforcement Officer stated that due to the very serious nature of the allegations, the applicant was informed that his application would be referred to the Licensing Committee who would determine if he was a 'fit and proper' person to be granted a licence by Northampton Borough Council.

As the Senior Licensing Enforcement Officer concluded his report, the Chair invited the applicant to address the committee. The applicant explained that his wireless router was hacked, and that he and his wife were at work at the time of the incident. Members asked if the applicant had been formally charged by the police, as the incident was detailed in the report as ongoing. The applicant confirmed that he had not heard from the police and it was still being investigated.

The Chair invited members to consider the report as presented by the Senior Licensing Enforcement Officer and ask the applicant any questions that related to the report.

RESOLVED: The Committee carefully considered the information in the report, the representations made by the Applicant at the hearing and the responses to the questions asked of him.

Accordingly, the committee agreed to **DEFER** the application until further notice until an update had been received from the police.

8. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

At the Chair's invitation, the applicant introduced themselves to the Licensing Committee. Then the Chair asked members and officers present to introduce themselves to the applicant. The applicant was asked if they recognised any of the committee, and members and officers were asked if they knew the applicant, to which the applicant and members confirmed they did not know one another.

The Chair invited the Senior Licensing Enforcement Officer to present the report as previously circulated prior to the meeting. He explained that the applicant applied to the Licensing Department for a Private Hire Driver's Licence on 24 March 2020. On 2 July 2020 the applicant submitted a copy of their DBS certificate, which detailed that the applicant had previous convictions related to fraud and threats to kill, and a speeding offence.

The Senior Licensing Enforcement Officer stated that due to the very serious nature of the allegations, the applicant was informed that his application would be referred to the Licensing Committee who would determine if he was a 'fit and proper' person to be granted a licence by Northampton Borough Council.

As the Senior Licensing Enforcement Officer concluded his report, the Chair invited the applicant to address the committee. The applicant explained that since his convictions, he was now married and had two children. He had worked hard to better himself and prove himself in the workplace after his custodial offences. He was currently a HR Coordinator for DHL and completing a level 5 apprenticeship. He explained that he worked his way up in the company and had been trusted with sensitive data in his role. He felt he was a fit and a proper person to hold a licence as he had changed and developed as a person, since he had been charged.

The Chair invited members to consider the report as presented by the Senior Licensing Enforcement Officer and ask the applicant any questions that related to the report.

RESOLVED: The Committee carefully considered the information in the report, the

representations made by the Applicant at the hearing and the responses to the questions asked of him.

Accordingly, the committee **GRANTS** the Applicant's Private Hire Driver's Licence

9. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

At the Chair's invitation, the applicant introduced themselves to the Licensing Committee. Then the Chair asked members and officers present to introduce themselves to the applicant. The applicant was asked if they recognised any of the committee, and members and officers were asked if they knew the applicant, to which the applicant and members confirmed they did not know one another.

The Chair invited the Senior Licensing Enforcement Officer to present the report as previously circulated prior to the meeting. He explained that the applicant applied to the Licensing Department for a Private Hire Driver's Licence on 12 November 2019. On 6 February 2020 the applicant submitted a copy of their DBS certificate, which detailed that the applicant had a previous criminal damage conviction.

The Senior Licensing Enforcement Officer stated that due to the very serious nature of the allegations, the applicant was informed that his application would be referred to the Licensing Committee who would determine if he was a 'fit and proper' person to be granted a licence by Northampton Borough Council.

As the Senior Licensing Enforcement Officer concluded his report, the Chair invited the applicant to address the committee. The applicant explained that the conviction related to when he was in his personal vehicle waiting for a car to come out of a parking space in a shopping center car park. Another driver took the space that he was waiting for and he confronted the driver. The other driver shouted racial abuse at the applicant who then proceeded to kick and smash the window of the driver's car. The applicant explained he was ashamed of his incident and his past, but he was a young teenage immigrant and he had matured since then.

The Chair invited members to consider the report as presented by the Senior Licensing Enforcement Officer and ask the applicant any questions that related to the report.

RESOLVED: The Committee carefully considered the information in the report, the representations made by the Applicant at the hearing and the responses to the questions asked of him.

Accordingly, the committee **REFUSES** the Applicant's Private Hire Driver's Licence

The meeting concluded at 9:00 pm