

NORTHAMPTON BOROUGH COUNCIL
TAXI & GENERAL LICENSING COMMITTEE

Tuesday, 23 April 2019

PRESENT: Councillor Sargeant (Deputy Chair); Councillors Beardsworth, Davenport, Duffy, G Eales and Walker

1. APOLOGIES

Apologies for absence were received from Councillor Flavell.

2. MINUTES

The minutes of the meeting held on 12th March 2019 were agreed and signed by the Chair.

3. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

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. HOUSE TO HOUSE APPLICATION

The Deputy Chair, Councillor Sargeant explained to Members that the Applicant was not present. He further asked the Senior Licensing Enforcement Officer to present the House to House Collection Application Report. Members had a number of concerns regarding the application, in particular the proportion of the net proceeds which were paid to charity. The Applicant was invited to send in further supporting material.

The Solicitor explained that the Committee may adjourn and ask the Applicant to reply to any specific queries since it appeared that if further information was supplied the committee could consider whether or not there were grounds to refuse the application.

RESOLVED:

That the application be adjourned until the next meeting of the Committee and the applicant be invited to attend the meeting to answer members queries.

7. 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 and the public and press were excluded on the basis that information relating to an individual and information which is likely to identify an individual were contained in the report.

8. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The Senior Licensing Enforcement Officer outlined the circumstances as set out in the report.

The Deputy Chair welcomed the Applicant and asked him to present his case to the Committee.

The Applicant explained to Members that on visiting the Council Offices to complete his application, he was told that the information he had written was acceptable, he may leave it blank and his DBS certificate would come through. In response, the Licensing Manager who was present at the meeting stated that the application should have been completed before he came to the Council Offices. Licensing Officers do not comment on what should be added to the form and, in any event, the Officers would not know whether a person has convictions and so would not know if the information was correct or not.

The Solicitor explained to Members their options and the relevant test to be applied; whether the Applicant is deemed to be a "fit and proper person" to be granted a licence as a Private Hire Driver and the relevant provisions of the Council's policy on convictions.

RESOLVED:

The Committee had carefully considered the information in the report, the presentations made by the applicant at the hearing and the responses to the questions asked of him.

The Committee made the following findings:

- A. There were a high volume of convictions recorded against the Applicant.
- B. These convictions were for a number of offences however, they are predominantly offences of an acquisitive nature, e.g. theft; obtaining property by deception and burglary;
- C. They are concerned about the period of offending. These were just not offences which were committed during his youth, they had continued well into his adulthood and he was still offending in his 30s.
- D. Members have a real concern about the offences committed in 2012 and for which the Applicant was convicted and sentenced in 2013. These were again acquisitive offences in respect of which there was an element of knowledge, i.e. he knew he was not entitled to the benefits concerned.
- E. The fact that he has committed further offences of that nature relatively recently shows that he is not a fit and proper person to hold a licence.

Accordingly, the Committee **REFUSE** the Applicant's application for a private hire driver's licence.

The meeting concluded at 19:20