

Minutes

Licensing Committee

13th November 2019



Present:

Councillors	Present	Councillors	Present
J Baugh (Chairman)	Yes	S Rehman	Apologies
Mrs J Beavis	No	B Rose (Vice-Chairman)	Yes
P Euesden	Yes	Mrs J Sandum	Yes
A Hensman	Yes	P Schwier	Yes
H Johnson	Yes	Mrs L Walters	Apologies
Mrs J Pell	Yes	Mrs S Wilson	Apologies
R Ramage	Yes	B Wright	Yes

13 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

14 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 11th September 2019 be approved as a correct record and signed by the Chairman.

15 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

16 **CRIMINAL CONVICTIONS POLICY ADOPTION OF GUIDANCE - APPLICANTS AND LICENSEES IN THE HACKNEY CARRIAGE AND PRIVATE HIRE TRADES**

INFORMATION: Consideration was given to a report on a possible review of 'Braintree District Council's Hackney Carriage and Private Hire Driver Criminal Convictions Policy' to reflect recommendations contained in the Institute of Licensing's Guidance relating to the relevance of convictions.

The Council, as the Licensing Authority, has responsibility for licensing hackney carriage and/or private hire vehicle drivers and private hire operators, and

determining whether or not applicants, or existing licence holders are 'fit and proper persons'. The Council adopted the 'Braintree District Council Hackney Carriage and Private Hire Driver Criminal Convictions Policy' in February 2018, which includes criteria taken into account by the Council when determining applications. All applications for hackney carriage and/or private hire vehicle driver licences and private hire operator licences are considered by the Council on their individual merits having regard to the Policy. In April 2018 the Institute of Licensing (IoL) published guidance entitled 'Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades'. The Committee was requested to consider reviewing the Council's Policy based on the recommendations set out in the convictions section of the IoL Guidance.

Members of the Committee were advised that the purpose of the IoL's document was to provide guidance on determining the suitability of applicants. It was hoped that the Guidance would be adopted widely to provide national uniformity and confidence in the system of licensing.

Information attached at Appendix 3 to the Agenda report indicated the differences between the existing 'Braintree District Council Hackney Carriage and Private Hire Driver Criminal Convictions Policy' and the recommendations contained in the IoL Guidance.

It was proposed that the Council's Criminal Convictions Policy should be subject to public consultation to determine whether or not it should be amended to reflect the recommendations contained in the IoL Guidance relating to relevance of convictions. The public consultation would last for a period of six weeks and the responses would be submitted to the Licensing Committee.

DECISION: That the 'Braintree District Council Hackney Carriage and Private Hire Driver Criminal Convictions Policy' be subject to public consultation based on the relevance of convictions recommendations contained in the Guidance issued by the Institute of Licensing and that the responses be reported to the Licensing Committee for consideration.

17 **LICENSING COMMITTEE UPDATE**

INFORMATION: Members of the Committee received an update on applications determined by the Drivers' Panel and the Licensing Sub-Committee since 11th September 2019 and on current licensing matters.

DECISION: That the Licensing Committee Update be noted.

The meeting closed at 8.14pm.

Councillor J Baugh
(Chairman)