

Time Commenced: 12:30pm  
Adjourned: 13:55pm  
Reconvened: 14:02pm  
Time Finished: 14:10pm

## **LICENSING COMMITTEE**

### **19 October 2015**

**Present:** Councillor Sandhu (Chair)  
Councillors Barker, Hickson, A Holmes, Jackson, J Khan, S Khan, Keith,  
Poulter, Skelton (left when meeting was adjourned), Turner, Winter

#### **27/15 Apologies for Absence**

Apologies for absence were received from Councillors Hezelgrave, Redfern and Whitby.

#### **28/15 Late Items**

There were no late items.

#### **29/15 Declarations of Interest**

There were no declarations of interest

#### **30/15 Interim Proposal: Driver Licence Renewals**

The Committee received a report from the Acting Strategic Director of Communities and Place detailing an interim proposal for driver licence renewals as part of the change from 1 yearly to 3 yearly renewals, due to the introduction on 1 October 2015 of de-regulation legislation. The proposals were proposed as an addition to the taxi licensing processes already previously agreed by the Committee. As a consequence of the practical implementation of the proposals, some drivers will be unable to work whilst they are waiting for their new Disclosure and Barring Service (DBS) certificate to be returned.

Following a request from a number of members and the Chair to officers, advice was sought from Counsel on whether an interim alternative means to overcome the issue of members of the trade being unable to trade pending a clear DBS certificate being issued to them.

Counsel's advice was that a temporary measure could be put in place and that it would be both reasonable and proportionate to do so due to the unusual circumstances, but that such measure must only be for as short a period as is necessary. He advised that a statutory declaration backed by a referral to a sub-committee, if it turned out to be based on falsehood, along with its criminal sanctions, offered an adequate safeguard to the Council. A draft statutory declaration had been drafted up for the committee's

consideration. This declaration was only to be completed by drivers who had already submitted a DBS application but were waiting the certificate due to the 12 week backlog with applications being processed by the police.

It was acknowledged that this temporary measure would only be in place for a limited time (4 months) until 31 January 2016, and would create a lot of additional work for the licensing team. Concerns were raised over the lawfulness of implementing this process, the trust that would be placed on the driver, the safeguarding of the public along with the concerns of the fairness of taxi drivers who had applied for their DBS certificate in plenty of time but were caught up in the delay and hence unable to work through no fault of their own.

Cllr Skelton gave apologies and left the meeting at 2.00pm during its adjournment.

The Committee discussed what would happen if the delay in issuing the DBS certificates continued beyond the current 12 weeks and taxi drivers were still facing the same issue after the proposed timescale for the use of the statutory declaration and whether this would be fair on these, as it was stated that there would not be an extension of this facility. Further debate was held over the welfare of the taxi drivers caught up in this and the absolute need to protect and ensure the safety of the public

**Resolved by a majority vote to reject the recommendation.**

**Cllrs Hickson, Barker, Keith and A Holmes all asked that their votes rejecting the recommendation be recorded.**

MINUTES END