

Minutes of Previous Meeting

REGULATORY PANEL

WEDNESDAY 11 JANUARY 2017 AT 2.00PM

PRESENT: Councillor Bell (Chairman), Councillors Bainbridge, Bowman S, Layden, Morton, Mrs Parsons, Sidgwick T, Tinnion, Mrs Warwick, Williams and Wilson.

OFFICERS: Legal Services Manager
Licensing Officer

RP.01/17 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Ms Franklin.

RP.02/17 DECLARATION OF INTEREST

There were no declarations of interest submitted.

RP.03/17 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and the items of business in Part B be dealt with when the public and press were excluded.

RP.04/17 MINUTES OF PREVIOUS MEETING

RESOLVED - That the minutes of the meetings held on 21 September 2016 and 26 October 2016 be agreed as a correct record of the meetings and signed by the Chairman.

RP.05/17 IMMIGRATION ACT 2016: PROVISIONS TO PREVENT ILLEGAL WORKING IN THE PRIVATE HIRE AND TAXI SECTOR

The Licensing Officer presented report GD.07/17 which set out the requirements for the licensing authority to undertake mandatory immigration checks in respect of applications for hackney carriage and private hire driving licences or a private hire operator's licence.

The Licensing Officer reported that the Home Office had notified Licensing Authorities that from 1 December 2016 an immigration check would be a mandatory part of the licensing regime and guidance had been provided, a copy of which had been attached to the report.

It was recommended that the City Council adopted the application process attached as appendix 2 to the report whereby applicants would be required to provide evidence of their right to work in the UK. At this stage there would be no financial implications, however, there would be implications for staff in licensing who processed the applications due to the increased time taken to carry out document checks.

The Licensing Officer drew Members attention to section 4 of the report which detailed the relevant legislation, including the Immigration Act 2016, which the Panel would have to take into account.

In response to questions the Licensing Officer clarified that the requirement for immigration checks came into force on 1 December and would be applied from that date. It would not

be applied retrospectively to applications made prior to 1 December; those applicants would be subject to the required checks when they renewed their licence. She also informed the Panel that the Licensing Authority was required to retain copies of the required documentation whilst the licence holder held the licence and the Council's Retention Policy would be amended to reflect this requirement.

RESOLVED – That report GD.07/17 – Immigration Act 2016: Provisions to prevent illegal working in the Private Hire and Taxi sector be noted;

2) That the requirement for licensing authorities to undertake mandatory checks in order to be satisfied as to the immigration status of all applicants for taxi and private hire driver licences or a private hire operator's licence be noted;

3) That the new process, as set out in report GD.07/17, in respect of taxi and private hire driver licences be approved and will take effect immediately;

4) That checks will be undertaken retrospectively for all for all licence applications from 1 December 2016.

(The meeting ended at 2.10pm)