

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - WEDNESDAY, 24 MAY
2017**

Present:

Councillor Hutton (in the Chair)

Councillors

Hobson	O'Hara	M Scott
Humphreys	Robertson BEM	

In Attendance:

Sharon Davies, Head of Licensing Service
Chris Williams, Democratic Services Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 25 APRIL 2017

Resolved:

That the minutes of the meeting held on 25 April 2017 be signed by the Chairman as a correct record.

3 EXCLUSION OF THE PUBLIC

That under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the whole item, including the decision referred to at Agenda item 4 on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

4 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCE

The Sub-Committee was informed of a number of Hackney Carriage and Private Hire Vehicle Driver Licence applicants and referrals who had given sufficient cause for concern as to be referred to the Sub-Committee for consideration.

Members discussed the applications and referrals as follows:

- (i) K.J.C. (New Private Hire Applicant)

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Mr Ryan Ratcliffe, Licensing Officer was in attendance and presented the case on behalf of the Authority.

The Sub-Committee was informed that the applicant had a conviction for an offence that had involved physical violence.

KJC, who was in attendance, explained that he had made a mistake and apologised for his behaviour in relation to the incident adding that it had been an isolated incident. He also reported that he had never been in trouble with the Police before or since the incident and, subject to the Sub-Committee's decision, he had been offered employment with a local taxi operator. Following concerns related to non-payment of court costs, the applicant reassured the Sub-Committee that they had been paid via a payroll deduction from the salary paid to him by his current employer.

The Sub-Committee noted the nature of the offence. However, the applicant demonstrated remorse in relation to the incident which had occurred over four years ago and had alleviated other concerns and offered to provide evidence of his compliance with the payment of court costs.

Resolved:

To grant the application for a Private Hire Vehicle Driver's Licence subject to satisfactory evidence being provided to the Licensing Service demonstrating that all court costs relating to the incident had now been paid.

(ii) D.A.H. (New Private Hire Applicant)

Mr Ratcliffe reported that the applicant had two historical convictions and had been brought before Members as one of those was for an offence of a sexual nature.

DAH was in attendance and made representations to the Sub-Committee. He demonstrated regret and remorse and explained that the sexual offence was a mistake following excessive consumption of alcohol and had occurred many years ago. He added that he had since held a number of jobs and been in positions of responsibility.

Members reasoned that both convictions were historical and no longer gave rise to significant concerns. The driver's attitude and demonstration of remorse alleviated any concerns the Sub-Committee had.

Resolved:

To grant the application for a Private Hire Vehicle Driver's Licence.

(iii) I.L.P (New Private Hire Applicant)

Mr Ratcliffe advised the Sub-Committee that the applicant had a previous conviction for a drink driving offence which had resulted in a lengthy driving ban.

ILP was in attendance and advised the Sub-Committee that he had made a grave error and had been driving over three times the legal limit when the incident occurred. The applicant expressed regret in relation to the incident and said it had happened during a

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difficult period in his personal life. He added that he no longer consumed alcohol and his circumstances had greatly improved since the time of the incident.

The Sub-Committee considered the case and whilst Members were deeply concerned at the nature of the offence and the subsequent driving ban, the applicant seemed to express genuine regret and a desire to put the incident behind him.

Resolved:

To grant the application for a Private Hire Vehicle Driver's Licence.

(iv) M.S.R. (New Private Hire Applicant)

MSR was not in attendance. The Sub-Committee agreed to hear the case in his absence.

Mr Ratcliffe advised Members that the applicant had an extensive list of previous convictions some of which had involved violence and deception. In addition, the applicant had breached community orders on several occasions and failed to disclose some of his convictions on the application to be licensed.

The Sub-Committee were extremely concerned at both the nature and frequency of the applicant's convictions, the failure to adhere to imposed conditions and the non-disclosure of further offences.

Resolved:

That the application for a Private Hire Vehicle Driver's Licence be refused on the grounds that the applicant was not a fit and proper person to hold such a licence, given the nature and frequency of his convictions, his breach of community orders and non-disclosure of offences.

(v) T.P.S. (Existing Hackney Carriage Driver)

Mrs Davies advised that the Hackney Carriage Driver's Licence had now expired and no new application had been submitted, so there was no reason for the Sub-Committee to hear the case.

(vi) K.A.R (Existing Private Hire Vehicle Driver)

Mr Ratcliffe reported that the driver had been referred to the Licensing service by a concerned family member who had sent an email describing the licence holder as a potential risk to himself and others due to his alcoholism. That letter was subsequently followed by another in which, the family member largely retracted their previous statements about the driver.

KAR was in attendance and made representations to the Sub-Committee. He explained that he was a recovering alcoholic and following a close relative being admitted to hospital, he had resorted to drinking again. He added that after a series of arguments with a family member, he believed that his car keys were taken so as to prevent him from using his vehicle. The driver reported that he had been licensed for over 15 years without incident and had never driven his vehicle under the influence of alcohol. He suggested

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that he had not been working throughout the period that the relative had been in hospital and admitted he had been at home mostly drinking heavily.

The Sub-Committee accepted that the family member's motivations and version of events seemed inconsistent and also took into account TPS' previously unblemished record as a licensed driver. However, during questioning, the driver did little to alleviate concerns the Sub-Committee had about his patterns of behaviour and apparent issue with alcohol consumption, which were supported by quite specific allegations contained in the original letter submitted to the Licensing Service. Ultimately, Members were therefore satisfied that the driver could pose a risk to the public.

Resolved:

That the Private Hire Vehicle Driver's Licence be revoked on the grounds that the driver was no longer a fit and proper person to hold such a licence and given the nature of the concerns, that the revocation be with immediate effect.

Background papers: exempt

5 DATE OF NEXT MEETING

Members noted that the date of the next meeting was scheduled for Tuesday 20 June 2017.

Chairman

(The meeting ended at: 7:28pm)

Any queries regarding these minutes, please contact:
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