

Blackpool Council

29 March 2018

To: Councillors Collett, Hobson, Humphreys, Hutton, Robertson BEM, Mrs Scott and Singleton

The above members are requested to attend the:

PUBLIC PROTECTION SUB-COMMITTEE

Tuesday, 10 April 2018 at 6.00 pm
in Committee Room A, Town Hall, Blackpool

A G E N D A

ADMISSION OF THE PUBLIC TO COMMITTEE MEETINGS

The Head of Democratic Governance has marked with an asterisk (*) those items where the Committee may need to consider whether the public should be excluded from the meeting as the items are likely to disclose exempt information.

The nature of the exempt information is shown in brackets after the item.

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

the type of interest concerned either a

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

- (2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE LAST MEETING HELD ON 13 MARCH 2018 (Pages 1 - 8)

To agree the minutes of the last meeting held on 13 March 2018 as a true and correct record.

3 SAFETY OF SPORTS GROUND - BLACKPOOL FOOTBALL CLUB (Pages 9 - 16)

To consider an application under the Safety at Sports Grounds Act 1975 for a Special Safety Certificate for an A-Ha pop concert at Blackpool Football Club on 16 June 2018.

*** 4 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCE** (Pages 17 - 28)

(This item contains personal information regarding applicants and licence holders which is exempt from publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972)

5 REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE EXCEPTIONAL QUALITY POLICY (Pages 29 - 40)

6 ALLOCATION OF STREET COLLECTION 2018/2019 (Pages 41 - 48)

To consider the applications for street collection permits detailed in the report.

7 DATE OF NEXT MEETING

To note the date of the next meeting as 8 May 2018.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Chris Williams, Democratic Governance Adviser, Tel: (01253) 477153, e-mail chris.williams@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 13 MARCH 2018

Present:

Councillor Hutton (in the Chair)

Councillors

Hobson

Humphreys

Robertson BEM

Mrs Scott

In Attendance:

Mrs Sharon Davies, Head of Licensing Service

Mr 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 6 FEBRUARY 2018

The Sub-Committee considered the minutes of the meeting held on 6 February 2018.

Resolved:

That the minutes of the meeting held on 6 February 2018 be approved and signed by the Chairman as a correct record.

3 EXCLUSION OF THE PUBLIC

Resolved: 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 decisions referred to at Agenda item 3, 4, and 5 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 LICENCES

The Sub-Committee was informed of an applicant and an existing driver who had given sufficient cause for concern as to be referred to the Sub-Committee for consideration.

Members discussed the application and referral as follows:

(i) A.T.H (New Hackney Carriage and Private Hire Driver applicant)

Mr Ryan Ratcliffe, Licensing Officer, was in attendance and advised the Sub-Committee that ATH had chosen to withdraw his application.

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(ii) M.L.R (Existing Private Hire driver)

Following a request to defer consideration of the case, the Sub-Committee decided it wished to hear the case immediately given the serious nature of the allegations made against the driver.

Mr Ratcliffe presented the authority's case. He reported that the driver had been previously been dealt with in relation to an incident that had involved inappropriate behaviour with a lone female passenger. This incident had been dealt with by Mark Marshall, Head of Licensing under the devolved powers and the driver was advised that his behaviour was unacceptable and should he be involved in a similar incident in the future, serious action would be taken against him.

Members were informed of a more recent incident that had involved the driver displaying similarly inappropriate behaviour towards a lone female passenger in the form of conversations and physical interactions. Following a request for CCTV footage from inside the cab, the driver claimed the system had not been recording at the time of the alleged incident. In relation to the most recent incident, the Licensing Service was particularly concerned that MLR had failed to heed their earlier advice about what constituted appropriate interaction with passengers.

MLR claimed he had done nothing wrong and had only been friendly and professional towards the complainant. He questioned the complainant's version of events and added that he felt there was no evidence to suggest any wrongdoing on his part. He added he had a strong work ethic and wished to continue to work as a licensed driver.

The Sub-Committee accepted that the event and the surrounding circumstances were confusing and it was unclear what evidence could be presented either way. However, given the driver's previous track record for similar behaviour, concerns about his lack of understanding of the expected standards of a licensed driver and the seriousness of the allegations, the Sub-Committee were minded to take serious action against the driver.

Resolved:

That the Private Hire vehicle drivers licence be revoked with immediate effect in the interest of public safety.

Background papers: exempt

5 HACKNEY CARRIAGE VEHICLE LICENCES

The Sub-Committee considered whether two licence holders were fit and proper persons to hold Hackney Carriage Vehicle Licences, in respect of the following cases:

(i) S.P (Existing licence holder)

Mr Ryan Ratcliffe presented the Authority's case. He advised that the case had previously been deferred to allow the licence holder an opportunity to attend with a legal representative. The Sub-Committee was advised that the vehicle licensed to SP, which was subject to the Council's exceptional quality policy, had been found to have a number

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of serious mechanical defects during the course of a routine pit inspection.

SP was in attendance with a legal representative, Mr Cobain and both made representations to the Sub-Committee. Mr Cobain suggested that his client had thought the inspection was designed to identify any vehicle issues and allow the owner a chance to rectify the faults. He added that SP had operated for over ten years without previous incident as a licence holder. During this time, it was claimed that the licence holder had effectively leased various vehicles to drivers to operate and therefore assume the maintenance responsibilities for each of those vehicles. Mr Cobain suggested a number of conditions be added to the licence which his client would strictly adhere to.

The Sub-Committee accepted the proposal that the licence holder undertake weekly visual inspections of the vehicle attached to the licence and conduct a short drive to establish any obvious vehicle defects. However, given the severity of the faults found on the vehicle, the Sub-Committee felt that more could be done to deter similar incidents from happening again in the future.

Resolved:

1. To issue a severe warning letter in relation to future conduct indicating that if the licence holder were brought before the Sub-Committee again, suspension or revocation of the licence would be the likely outcome.
2. To impose the following conditions on the vehicle licence:
 - That a weekly visual inspection and test drive of the licensed vehicle be undertaken by the licence holder
 - That once a month or every 5,000 miles (whichever is the soonest) a detailed maintenance inspection be carried out by a suitably qualified mechanic
 - Legible records of all maintenance inspections to be retained by the licence holder for a period of two years.

(ii) H.M (Existing licence holder)

HM was not in attendance and therefore made no representations to the Sub-Committee.

As no indication had been given by the licence holder on his intention to attend the meeting, the Sub-Committee agreed to hear the case in his absence.

Mr Ratcliffe advised the Sub-Committee that HM had been before the Sub-Committee once before for an incident in which he was judged to have used abusive or threatening behaviour towards a member of the public. On that occasion at the October 2016 meeting, he was issued with a severe warning letter.

Members were informed that with regards to the reason he had been referred to the Sub-Committee on this occasion, he had been operating a vehicle in a poor mechanical state and in a condition that made it dangerous for the transport of fare paying passengers.

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 13 MARCH 2018

The serious nature of the defects found on the vehicle combined with the driver's previous appearance before them, led the Sub-Committee to take a stern view.

Resolved:

That the Hackney Carriage vehicle licence be revoked on the grounds that the driver was not a fit and proper person to hold such a licence.

Background papers: exempt

6 DONKEY DRIVERS LICENCES

The Sub-Committee considered whether two licence holders were fit and proper persons to hold Donkey Driver Licences, in respect of the following cases:

(i) S.T (Existing licence holder)

Mr Ratcliffe, Mr Dave Verity and Mr Ian Taylor, Public Protection Officers, who were also in attendance, presented the case on behalf of the authority.

ST was in attendance with a family friend and both provided representations to the Sub-Committee.

The Sub-Committee was informed of an ongoing investigation by the RSPCA into suspected animal cruelty and abuse at the licence holder's premises. The yard was used for the storage and exercise of various animals including donkeys and dogs of various breeds.

Mr Ratcliffe showed Members a series of CCTV video clips from the yard that had been used as evidence of cruelty. Some of the footage showed the licence holder participating in physical violence against donkeys. Mr Verity and Mr Taylor added that when they had visited the yard subsequently, some of the conditions they observed were below the standard expected of licence holders.

ST suggested that she had been in a relationship with a violent individual at the time of the incidents and that he had been the perpetrator of most of the violence shown in the CCTV footage. She also claimed to be unaware of his actions with the donkeys. Following the breakdown of their relationship, the licence holder claimed she had been the victim of a personal vendetta which had escalated to her former partner installing CCTV equipment on her premises. ST claimed to have an exemplary record looking after and transporting animals. She added that her actions in the video footage could be explained as coaxing the animals, which she said was necessary given their pack animal status.

The Sub-Committee considered the representations and evidence presented. Despite the licence holder's explanation of events and the issue with a former partner, Members were convinced that wrongful treatment of animals had occurred and the licence holder had been both complicit and an active participant in the cruelty shown in the CCTV footage. Systematic abuse and excessive force were not in keeping with the standards expected of a licensed Donkey Driver.

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Resolved:

That the Donkey Driver licence be revoked with immediate effect on the grounds that the safety of the public and welfare of animals could not be guaranteed.

(ii) G.E.T (Existing licence holder)

The Sub-Committee was informed of an ongoing investigation by the RSPCA into suspected animal cruelty and abuse at the premises where the licence holder worked with members of her family. The yard was used for the storage and exercise of various animals including donkeys and dogs of various breeds. Members were shown CCTV footage which purported to display the licence holder involved in violence towards an animal in her care. Mr Verity and Mr Taylor also reported that during the course of a visit to the yard, they were troubled to find a number of animals being kept in poor conditions.

GET was in attendance with a family friend and both made representations to the Sub-Committee. In relation to the mistreatment of animals, the licence holder claimed she was not depicted in any section of the CCTV footage. She also claimed she had never taken part in or experienced any animal cruelty during the course of her normal duties. The licence holder claimed to be an animal lover and added that she had worked with various animals without incident for several years.

The Sub-Committee expressed concerns about the ongoing investigation into animal cruelty and the licence holder's behaviour towards animals in her care. Members were equally unsatisfied by the explanation offered for the behaviour observed in the CCTV footage.

Resolved:

That the Donkey Driver licence not be renewed on the grounds that the applicant was not a fit and proper person to hold such a licence.

Background papers: exempt

7 ALLOCATION OF STREET COLLECTIONS 2018/2019

The Sub-Committee considered the allocation of street collections for 2018-2019 and the applications received both from the approved Council list and other applications.

The Sub-Committee considered the submitted application forms, the report of the Head of Licensing Service and the Council's policy on Street Collections. It was noted that consultation had been undertaken with the BID team or Visit Blackpool depending on where the collection was due to take place.

Resolved:

1. To authorise the grant of a permit under the street collection regulations to cover the public collections made via the collection booths during the period of the illuminations and to permit the sale to the public a brochure on the evening of the Switch-on of the 2018 illuminations.

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2. To approve street collection permits for the following organisations from the approved list within the forthcoming 12 month period:
 - Royal British Legion Poppy Appeal 2018
3. To approve the following individual applications for street collections in the following year:
 - **Help for Heroes:** An application from a national charity for a permit to collect in the Town Centre on 20/21 April, 18/19 May, 15/16 June, 20/21 July, 14/15 September, 16/17 November and 14/15 December 2018.
 - **Marie Curie Cancer Care:** Application from the national charity for a collection on 21 April 2018 in St John's Square 10am-4pm with an hour of Irish Dancing 2.30-3.30pm.
 - **Meningitis Now:** An application from a national charity for a collection in the Town Centre on 12 May 2018 10am-4pm.
 - **Trinity and Brian House Children's Hospice:** An application from a local charity for two collections for 14 April 2018 Bubble Rush and 13 May 2018 10K Fun Run.
 - **Tiny Individuals Need You.** Local CIC for Promenade and Town Centre collection on 24-28 May and 25-27 August 2018. They will not be permitted on the Promenade between 27/28 May nor 25-27 August 2018.
 - **Here 4 U.** An application and for the 18 August 2018 in St John's Square 8am-8pm.
 - **RNLI** To collect on 4 August 2018 –Lifeboat Open Day and 2 September 2018 'Boat Pull'
 - **Alzheimer's Society:** An application for a permit to collect during a Memory Walk along the Promenade on the 16 September 2018.
 - **BETEL UK.** An application to collect between 3-6 December 2018 inclusive for two days only.
4. To defer consideration of the application from **Here 4 U**, an application and for the 18 August 2018 in St John's Square 8am-8pm to obtain more information about the organisation and its intentions.
5. To delegate to the Head of Licensing Services authority to issue further suitable applicants with permits.

8 DATE OF NEXT MEETING

Members noted that the date of the next meeting was scheduled for Tuesday 10 April 2018.

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 13 MARCH
2018**

Chairman

(The meeting ended at 9.44 pm)

Any queries regarding these minutes, please contact:

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Report to:	PUBLIC PROTECTION SUB-COMMITTEE
Relevant Officer:	Michelle Wilson, Head of Building Control
Date of Meeting	10 April 2018

SAFETY OF SPORTS GROUND – BLACKPOOL FOOTBALL CLUB

1.0 Purpose of the report:

- 1.1 Blackpool Council has received an application for a special safety certificate to host a Pop Concert headlined by A-Ha at Blackpool Football Club on 16 June 2018. The certificate will allow an attendance of 13,206.

2.0 Recommendation(s):

- 2.1 To approve the issuing of the special safety certificate with a capacity of 13,206.

3.0 Reasons for recommendation(s):

- 3.1 Calculations have shown the capacity of 13,206 does not exceed the limits for ingress and egress as shown within the safety at sports ground guide. A previous concert in June 2014 had a capacity in excess of this number.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered: N/A

4.0 Council Priority:

- 4.1 The relevant Council Priority is:

“The Economy: Maximising growth and opportunity across Blackpool”

5.0 Background Information

- 5.1 The UB40 concert held on 16 June 2017 by the same promoter and safety team without any major issues transpiring.

- 5.2 A Safety Advisory Group has been held on 21 February 2018.
- 5.3 The police, fire authority and ambulance service have minor comments, but do not have any objections.
- 5.4 Does the information submitted include any exempt information? No
- 5.5 **List of Appendices:**
- Appendix 3(a) - Copy of proposed Special Safety Certificate
Safety Advisory Group minutes dated 21 February 2018
- 6.0 **Legal considerations:**
- 6.1 None
- 7.0 **Human Resources considerations:**
- 7.1 None
- 8.0 **Equalities considerations:**
- 8.1 None
- 9.0 **Financial considerations:**
- 9.1 None
- 10.0 **Risk management considerations:**
- 10.1 None
- 11.0 **Ethical considerations:**
- 11.1 None
- 12.0 **Internal/ External Consultation undertaken:**
- 12.1 Police, fire authority and ambulance service
- 13.0 **Background papers:**
- 13.1 None



BLACKPOOL FOOTBALL
CLUB

SPECIAL SAFETY CERTIFICATE

A-HA CONCERT

16th JUNE 2018

SAFETY OF SPORTS GROUNDS
ACT 1975

Special Safety Certificate 16TH June 2018

BLACKPOOL COUNCIL

SAFETY OF SPORTS GROUNDS ACT 1975 - AS AMENDED

SPECIAL SAFETY CERTIFICATE

Address of the Sports Ground for which this Certificate is issued	Blackpool Football Club Bloomfield Road, Blackpool
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Certificate Holder	Blackpool Football Club Ltd
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In accordance with Section 1 (3) and (4) of the above Act, the Blackpool Council hereby issue to Blackpool Football Club Limited this Special Safety Certificate for the above Sports Ground which has been designated by Order as a Sports Ground requiring a General Safety Certificate.

The terms and conditions hereby imposed are such as the Blackpool Council consider necessary or expedient to secure the reasonable safety of spectators present at the Sports Ground for the purpose of viewing a Specific Activity.

Whilst in force, the effect of this Certificate is to permit the admission of spectators to the Sports Ground solely for the purpose of viewing a music concert dated the 16th June 2018 between the hours of 16.00-22.30

Date of Issue

Signed
CHIEF EXECUTIVE
for Blackpool Council

TO: Blackpool Football Club

OF: Bloomfield Road, Blackpool

WHEREAS on 10th July 2017 Blackpool Council (hereinafter called “the Local Authority”) issued to Blackpool Football Club Ltd a General Safety Certificate for the Designated Ground at the sports stadium, pursuant to the powers conferred by the Safety of Sports Grounds Act 1975;

AND WHEREAS application was made to the Local Authority by Blackpool Football Club Ltd. (hereinafter called “the applicant”) for the issue to it of a Special Safety Certificate in respect of the use of Bloomfield Road stadium for the holding of a music concert on 16th June 2018;

AND WHEREAS the Local Authority is satisfied that the applicant is a person likely to prevent contravention of the terms and conditions of the Safety Certificate;

NOW the Local Authority in exercise of the powers conferred by Sections 1, 2 and 3 of the Safety of Sports Grounds Act 1975 and all other enabling powers HEREBY CERTIFIES that said stadium in respect of the use thereof on 10th July 2017 for the holding of a concert open to members of the general public and for purposes ancillary thereto, SUBJECT to the terms and conditions contained in the Schedule to the General Safety Certificate issued by the Local Authority in respect of the said stadium and to the following further conditions:-

A. If the concert is held using an approved purpose built stage positioned at the North End of the pitch:-

1. The capacities set out in the General Safety Certificate shall not apply. Instead the maximum number of spectators that may be admitted to the event shall be restricted as follows:-
 - a) total capacity for the Ground shall be restricted to a maximum of 13206;
 - b) the above figure can be used as follows:-
 - (i) pitch only – up to 10000 standing
 - (ii) East & West Stand – 3206
2. All exit gates shall be required to be unlocked and manned throughout the time spectators are in the ground until all spectators have dispersed.
3. Access to the event by the public shall be through ticketing or valid pass only. This is to verify and control the actual numbers in attendance.

4. Spectators shall not be allowed to bring alcohol into the ground. Alcohol or alcoholic beverage shall be permitted to be sold in the ground by management for spectator consumption during the event, subject to the applicant obtaining a premises license from Blackpool Council.
5. All temporary structures shall be erected by a competent person to the satisfaction of the Local Authority, including an independent design check and certification of completion supplied to the Local Authority, prior to the event.
6. The applicant shall ensure the organisers shall engage not less than number of stewards identified within the risk assessment to assist in ensuring that the terms and conditions of this Certificate are complied with. They should be readily identifiable to all members of the public, police and emergency services and is fully briefed and made aware of his or her duties prior to the event. The role of stewards is outlined in the General Safety Certificate.
7. The applicant shall ensure that fire-fighting stewards shall be provided in accordance with the General Safety Certificate to patrol the sports ground as required.
8. Adequate provision should be made for the accommodation, ingress and egress of disabled persons. Viewing areas for the disabled shall be located in areas approved by the Local Authority.
9. The applicant shall submit to the Local Authority the numbers of spectators to be allowed within the concourses at any one time and methods of controlling this.
10. Appropriate qualified first aid staff and equipment to be provided at strategic points around the stadium, additional qualified medical cover and equipment should be provided in accordance with the medical plan.
11. All active first aid rooms must be manned by qualified staff during the event.
12. All means of ingress and egress to and from the ground shall be maintained and first aid firefighting facilities shall be provided to the satisfaction of the Local Authority.
13. Regular rubbish collections shall be made throughout the event to prevent an accumulation of refuse, which should be removed to a safe storage area.
14. Caterers, concessionaires and temporary toilets shall be positioned to the satisfaction of the Local Authority and Fire Authority in a manner that will not impede safe evacuation of the premises.
15. All temporary electrical supplies to the stage and other areas of the stadium shall comply with the current relevant I.E.E. Regulations and installed and certified by a competent person and copies issued to the Local Authority, prior to the event. No public access to the generator or fuel supply should be available.
16. All other management safety policies, certification, security measures and crowd management systems agreed in the applicant's Event Safety Management Plan shall

Appendix 3(a)

apply regarding spectator safety, the applicant being responsible for ensuring that they are complied with during the event.

- B. All other relevant safety factors as detailed in the General Safety Certificate shall apply regarding spectator safety.
- C. This Certificate is only valid upon the proviso that all relevant certification is found satisfactory at least 48 hours prior to the event commencing.

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Report to:	PUBLIC PROTECTION SUB-COMMITTEE
Relevant Officer:	Mark Marshall, Head of Licensing Service
Date of Meeting	10 April 2018

PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCE

1.0 Purpose of the report:

- 1.1 To consider an applicant who has been convicted of offences or who has otherwise given reasons for concern.

2.0 Recommendation(s):

- 2.1 The Sub-Committee will be requested to determine the application as appropriate.

3.0 Reasons for recommendation(s):

- 3.1 Licensed drivers can be responsible for transporting vulnerable passengers. It is important for the protection of the public that only fit and proper persons are licensed.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

None, as the Sub-Committee is required to determine the application.

4.0 Council Priority:

- 4.1 The relevant Council Priority is "The Economy: Maximising growth and opportunity across Blackpool"

5.0 Background Information

- 5.1 The Sub-Committee is asked to determine whether or not the applicant is a fit and proper person to hold a Hackney Carriage and Private Hire Vehicle driver's licence, in

respect of the following case:

M.J.F (New Hackney Carriage and Private Hire Applicant)

5.2 Details of offences or matters causing concern and any supporting documents are attached at Appendix 4(a).

5.3 Does the information submitted include any exempt information? Yes

List of Appendices:

Appendix 4(a) Details of cases (not for publication)

6.0 Legal considerations:

6.1 The Sub-Committee must be satisfied that the applicant is a fit and proper person to be licensed.

6.2 There is the right of appeal to the Magistrates' Court.

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Report to:	PUBLIC PROTECTION SUB-COMMITTEE
Relevant Officer:	Mark Marshall, Head of Licensing Service
Date of Meeting	10 April 2018

REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE EXCEPTIONAL QUALITY POLICY

1.0 Purpose of the report:

- 1.1 To consider proposed amendments to the Hackney Carriage/Private Hire Exceptional Quality Policy.

2.0 Recommendation(s):

- 2.1 To consider the policy and the proposed amendments as outlined in Appendix 5(a).
- 2.2 To recommend to the Executive that they adopt the proposed amendments.

3.0 Reasons for recommendation(s):

- 3.1a The Sub-Committee has previously authorised a period of consultation on the proposed changes. All of responses received were not relevant to any specific changes to the proposed policy.

3.1b Any amendments to the Policy must be approved by the Executive

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

The Sub-Committee could decide to not review the policy after two years. However, this would not be considered good practice.

4.0 Council Priority:

- 4.1 The relevant Council Priority is "The Economy: Maximising growth and opportunity across Blackpool"

5.0 Background Information

5.1 The hackney carriage and private hire exceptional quality policy has been in force in its current form since 2010.

5.2 There are currently 112 Licensed Hackney carriages and two private hire vehicles subject to the exceptional quality.

5.3 The Sub-Committee considered proposed amendments to the exceptional quality policy at its meeting on 6 February 2018, made some changes and authorised a period of consultation with the trade. The consultation document is at Appendix 5(a)

5.4 Consultation took place until 8 March 2018. Two responses were received. The responses are at Appendix 5(b)

5.5 Does the information submitted include any exempt information? No

5.6 List of Appendices:

Appendix 5(a) Proposed Taxi and Private Hire Vehicle Licensing Criminal Convictions' Policy.

Appendix 5(b) Consultation responses.

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11. None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Appendix – Exceptional Quality Policy

Vehicles must meet minimum emissions standards with reference to the year of manufacture.

1. The vehicle must pass the initial pit test – vehicles with four or fewer faults (excluding consumables – see guidance notes) will be permitted to undertake the necessary repairs and submit for a re-test; vehicles with five or more faults will fail and will not be permitted a re-test; and
2. The vehicle must meet the full exterior and interior specification detailed below (each point listed below would constitute one defect). Vehicles with five or fewer defects as detailed below will be permitted to undertake necessary repairs and submit for a re-test. Vehicles with six or more defects will fail, and will not be permitted a re-test.

Exterior

- ~~All bodywork to be clean and sound, free from rust, corrosion, dents, scrapes or significant scratches or loose panels.~~
- *All body work to be clean and free from any significant rust and corrosion. Dents and scrapes of a minor nature shall be given 28 days to rectify.*
- All paintwork must be in good condition when the vehicle is viewed in normal light conditions
- ~~All wheel trims to be fitted according to the manufacturer's specification and all matched~~
- *All wheel trims to be fitted correctly and shall be of a matching colour and style.*
- Door or wing mirrors to be in good condition. 2 wing mirrors and an interior mirror are required.
- ~~Front and rear registration plates to be clean, clear, unbroken and conform to the relevant legislation. Hinging rear number plates must be maintained so that the number plate is visible at all times.~~
- Front and rear bumpers to have no rust, corrosion, dents, cracks or scrapes and be securely fitted. End caps must be fitted
- Mud flaps, if fitted should be maintained
- ~~No broken, cracked or missing glass or surrounds on all front and rear lights where fitted and must display the correct colour~~
- *No broken or missing glass on the surrounds on all front, rear & Indicator lights where fitted and must display the correct colour (with no white light omitting if rear tail, brake or indicator lights)*
- ~~Radiator grills should be secure and the original specification~~
- *Radiator grill should be securely fitted.*
- ~~Windscreen and rear screen wiper arms should be in good condition and rust free and properly fitted~~
- *Front windscreen wiper arms should be in good condition, rust free and park in the correct position.*
- All door locks and boot locks fitted to be in working order
- All doors should be easily opened and in good working order
- ~~All door handles should be properly fitted easily operated and of original specification~~

- *All door handles should be properly fitted and easily operated*
- A spare wheel which conforms to legal requirements must be carried and securely fitted along with the relevant jack and wheel brace
- All tyres to conform to legal requirements
- All road wheels to be clean and free from significant marks or damage
- Vehicle to have a current MOT certificate or certificate of compliance
- Evidence of servicing and maintenance over the last twelve months must be produced.

Interior

- ~~All seats to be manufacturer's original design, should match, be securely fitted with no holes or tears,~~
- *All seats to be securely fitted with no holes or tears and should be clean and of a good appearance.*
- All seat belts should be clean, in good working order. There must be sufficient seatbelts to cover every licensed seat. All anchorage point covers should be properly fitted ~~and match original trim,~~ *PVC protective seat covers are acceptable providing the style, fitting and colour is suitable for the vehicle model.*
- All panels should be clean and match original trim
- ~~Fitted carpets should be of original specification, securely fitted with no rips or holes~~
- *Fitted carpets should be securely fitted with no rips or holes and be clean in overall presentation.*
- All instruments and accessories should be fitted securely, match trim and be in good working order.
- Headlining to be clean with no holes or tears (unless repaired)
- All windows to operate correctly and easily
- Brake, clutch and accelerator pedal rubbers to be fitted and in good condition
- The inside of the vehicle should be free from any trailing or loose wires
- ~~The boot and/or luggage space should be clean and tidy with an unstained carpet or cover to manufacturer's specification~~
- *The boot and or luggage space should be clean and tidy.*
- If a hatchback, the boot cover must be original with both lifting straps fitted. A cargo guard should be fitted in estate vehicles
- Gear lever gaiters, if fitted, should be in good condition
- All lights should be in working order with appropriate covers securely fitted
- Window locks, handles where provided by the manufacturer to be in working order
- Heated rear screen to be in proper working order.
- Ramps, if fitted must be in good working order.
- *Cracked internal partitions that present a risk of sharp edges or imminent failure shall not be permitted.*

Guidance notes

Mot items – Any individual fault which would cause the vehicle to fail the standard MOT test will count as one fault. For example a leaking brake cylinder and a bald tyre are **2 faults**.

Interior and exterior faults – as a general rule, each defect identified during the inspection will count as one fault, however multiple faults of an identical nature will count as one fault. For example – holes in two seats will count as one fault. Similarly, dents found on two separate panels will count as one fault.

Fixing – ~~all trim should be present, correctly aligned and fixed in accordance with the manufacturer's specification.~~
All internal trim should be present, correctly aligned and should be of a good appearance.

Poor Workmanship – repairs should be carried out to a high standard. Defects resulting from poor preparation or poor application of a paint finish are likely to result in the vehicle not reaching the required standard. Such defects may include runs, dust in the paint, orbital sander marks, poor paint coverage and overspray.

Gloss Finish – Paintwork should have a gloss finish over the whole vehicle. Where the paintwork has begun to fade due to age and the effects of ultraviolet degradation over large areas of the vehicle, where it cannot be returned to an acceptable gloss level by the use of cutting compounds refinishing may be required.

Replacement panels – vehicles which have been damaged and had replacement panels fitted are acceptable as hackney carriage and private hire vehicles provided that

- The repairs have been carried out to a high standard
- The replacement panel has been fitted to the vehicle manufacturer's specification using approved fittings, and
- The replacement panel has been correctly aligned, level with all adjacent panels. The gaps between panels should be uniform and similar to those between original panels.

Appeals

Where a proprietor is aggrieved by the decision of a vehicle tester concerning the standard of the vehicle, the initial appeal shall be to the mechanics supervisor. In the event that the proprietor remains aggrieved, a further appeal will lie to the *CVMU Manager*.

Further details of the appeals process are available on request.

Definition of consumables

The following items will not be counted as faults, but should be rectified as soon as *reasonably practicable:

- Light bulbs not working
- No fire extinguisher
- No fare card on display
- Absence of vehicle signage
- A missing licence plate
- Taxi meter not operating correctly

**For example, a headlight bulb to be replaced before a vehicle is used after dark. Or for a missing fare card or licence plate the next available time the Licensing Office is open to get a replacement*

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Subject: FW: Comments on revised Licensing Policy

Importance: High

From: Licensing
Sent: 19 February 2018 09:41
To: Mark Marshall
Subject: FW: Comments on revised Licensing Policy
Importance: High

Hi Mark

Think you had better respond to Martin Smith on his comments/concerns, as you can see he has copied in Mark Menzies & Gordon Marsden. It's also worth mentioning that Mr Smith has the oldest vehicle on the fleet at 21 years and 5 months!

Thanks
Ryan Ratcliffe
Licensing Officer
Licensing Service
Blackpool Council | Municipal Buildings|Corporation Street| Blackpool | FY1 1NA
T: 01253 478 343
W: www.blackpool.gov.uk

From: Jackie Smith [mailto:jackie.smith08@sky.com]
Sent: 17 February 2018 16:37
To: Licensing
Cc: Mark Menzies; gordonmarsdenmp@parliament.uk
Subject: Comments on revised Licensing Policy
Importance: High

I am in receipt of the letter regarding the new Licensing Policy and I am outraged at point 1 noted below regarding 5 problems and taxis are removed from the road completely for taxis over 14 years old. I was under the impression from BLOATA that this was being looked into and was being amended but I see this has remained.

To remove a vehicle with 5 faults or more and not allow a retest is outrageous and surely illegal. You are making taxi drivers already undertake 3 pits tests a year at a cost of £56 per test and at each one of these we may be at risk of being taken off the road permanently and will have no vehicle therefore no income. This puts taxi drivers in Blackpool in threat of

bankruptcy.

I have personally paid £3500 recently for another taxi which could be removed at the first test. Your inspectors are inconsistent and one individual (Kevin Ronson) who actually has been noted as saying he 'hates taxi drivers' does anything he can to fail a vehicle.

I have copied into this email, Mark Menzies my Fylde MP and also Gordon Marsden who covers the Blackpool area for their help and advice. I am also thinking of contacting the Driver and Vehicle Standards Agency (DVSA) for their views on Blackpool's over excessive and now draconian procedures.

As you know Blackpool council has the monopoly on the licensing of taxis, if this was open to independent garages the vehicles will still receive a legal test of road worthiness and it is about time that taxi drivers had this choice to remove this unfair process.

No driver, in their right mind would take their vehicle to Blackpool Licensing and be bullied and harassed in this manner if we had a choice.

Martin Smith

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From: garry thomas <garrythomasslt@hotmail.com>
Sent: 12 March 2018 21:09
To: Licensing
Subject: Appendix G

Sir/Madam

my view would be to scrap Appendix G.

Exceptional quality is a given regardless to the age of a vehicle when providing a service to the public.

If a vehicle has six or more defects on a 2017/18 plate or earlier do the same rules apply...a retest will not permitted ???

Reading through Appendix G the same standards are applied to all taxi vehicles pit tested by the council so why put an age limit on the vehicles, all vehicles should be fit for purpose.

Everything is repairable on many types of vehicle, Appendix G ...scraps the vehicle leaving the taxi owner and his employees without a business until another vehicle is purchased.

I agree with the policy of presenting a vehicle in a good condition but when the vehicle is pit tested this brings in an " open to interpretation problem " with different testing mechanics/inspectors where a balanced and common sense approach seems to be elusive.

If the council are looking to phase out older vehicles maybe a different approach is needed...open transparent discussion with taxi driver representatives BLOTA as to any plans the council has for the phasing out of older

vehicles, a five year plan to help taxi owners/drivers make the transition to newer vehicles could be considered. I am sure there are number of policies that could be considered that could benefit both parties after some..

balanced dialogue.

It would be good to here have some feedback on my remarks.

Garry Thomas.

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Report to:	PUBLIC PROTECTION SUB-COMMITTEE
Relevant Officer:	Sharon Davies, Head of Licensing Service
Date:	10 April 2018

ALLOCATION OF STREET COLLECTION 2018/2019

1.0 Purpose of the report:

1.1 To consider the allocation of street collection for 2018/2019.

2.0 Recommendation(s):

2.1 To consider the application for street collection permit detailed in 5.4 – 5.6.

3.0 Reasons for recommendation(s):

3.1 The Sub-Committee is required to consider applications received for the forthcoming year.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

The Sub-Committee has the power to grant or refuse the application.

4.0 Council Priority:

4.1 The relevant Council Priority is "Safeguard and protect the most vulnerable"

5.0 Background Information

5.1 Street collections are regulated by under the Police, Factories, etc (Miscellaneous Provisions) Act 1916.

5.2 This report sets out the charity request for a collection permit in 2018/2019.

5.3 The Sub-Committee is requested to select those organisations which should be

allowed street collection permits for the forthcoming 12 month period.

5.4 The Licensing Service has received the following application for street collection in the forthcoming year. Copies of the application can be found in Appendix 6(a).

5.5 **Here 4 U.** Local Charity making the lives of people that feel they have been 'left behind' a little easier. This is the Charity's first application and is for the 18 August 2018 in St John's Square 8am-8pm.

5.6 At the last meeting of the Public Protection Sub-Committee on 13 March the Sub-Committee asked for more information about the organisation and its intentions. The applicant has been invited to attend today's meeting to give any information necessary in assisting the Sub-Committee's decision.

5.7 Does the information submitted include any exempt information? No

List of Appendices:

Appendix 6(a) Applications detailed in 5.4

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 Consultation has been undertaken with the BID team and Visit Blackpool

13.0 Background papers:

13.1 None

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Blackpool Council

23 JAN 2018

APPLICATION FOR A STREET COLLECTION PERMIT

Applicants Name:	HERE4U
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Built Environment

Licensing Service
Blackpool Council
Municipal Buildings, PO Box 4
Blackpool, FY1 1NA

Contact

T: (01253) 47 8570
F: (01253) 47 8372
www.blackpool.gov.uk



1) Applicant Details

In what capacity are you applying for a licence?

Please tick:

a) An individual

☐

Complete Section A

b) A person other than an individual

I. As a charity

☒

Complete Section B

II. As a limited company

☐

Complete Section B

III. Other

☐

Complete Section B

A) Individual Applicant -

Name, Address and details of applicant for the licence who will be responsible for the collection

Title:	Mr	Mrs	Miss	Ms	Forename (s)													
Surname											Date of Birth							
Home address																		
											Post Code							
☎ Telephone Number											☎ Mobile Number							
Email Address																		

B) Non-Individual Applicant – Business, Society or Charity responsible for the proposed Collection

Name	MARC BENTLEY																
Registered address	HERE4U, 210 DICKSON ROAD																
	BLACKPOOL																
											Post Code	f	y	i	2	j	s
☎ Telephone Number	0330 120 0480										☎ Mobile Number						
Email Address	marc.bentley@here4ucharity.org.uk																

2) Correspondence Name and Address

Name	AS ABOVE																
Address																	
											Post Code						
☎ Telephone Number											☎ Mobile Number						
Email Address																	

- 3) Name of charity or fund for which the Collection / Sale is being made.

Name of Charity	HERE4U				
Address	210 DICKSON ROAD				
	BLACKPOOL				
	Post Code	F	4	1	2 J S
Charity Registration Number (if applicable)	1170803				

- 4) The Street Collection will be for the collection of:

Money	Property
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Tick as appropriate

If property is collected, is this to give away use or sell on behalf of charity please state:

--

- 5) What method of collection is to take place?

For example will it be a bucket collection, line of coins, or entertainment / specific event? Please provide a description of the type of collection that is proposed to take place.

Fundraising e.g. Tombola / name the teddy / Bucket Sales e.g. Donated items / Promotional materials

- 6) How many persons is it proposed to authorise to act as collectors in the area of the local authority to which the application is addressed?

Between 4 - 10 Running Stalls

- 7) Use to which proceeds of this collection are to be put.

To continue Funding HERE4U Objectives

- 8) Objects of the Charity or Fund.

Provide support and a listening ear to local residents suffering from mental health / Isolation + Loneliness
--

- 9) Date of Proposed Collection or Sale, and between what hours:

NB Please note that we must be in receipt of your application at least 28 days prior to the date of proposed collection

DATE

18/08/18
18/08/18

BETWEEN WHAT HOURS

FROM: 08.00
TO: 20.00

- 10) Locality within which it is proposed to make the Collection or Sale.

St Johns Square outside Winter gardens Permission granted by blackpool BID

- 11) Are the whole of the receipts to be paid over for the benefit of the Charity or fund?

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Tick as appropriate

- 12) If no, please state what deductions will be made (for expenses or any other purpose) and provide an estimate of the sum which will be deducted. This can be shown as a percentage.

Total amount of receipts	Amount to be deducted	Reason for deduction.

- 13) Has a permit for a Collection or Sale for a similar object ever been refused?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Tick as appropriate


- 14) If Yes, please state by which Licensing Authority, date refused and reason given.

AUTHORITY	DATE	REASON

- 15) Signature of Applicant

I understand that I am required to contact the following department(s) regarding my application:

- Promenade**
If you are planning to hold a street collection on the Promenade you will must immediately contact VisitBlackpool on telephone number (01253) 478231 to check the dates requested are available and also to check whether you will need to provide insurance cover. Please note, VisitBlackpool's terms and conditions will need to be signed and a tramway activity permit may also be required.
- Town Centre**
If you are planning to hold a street collection within the Town Centre, permission should immediately be sought from the Town Centre Admin Manager on (01253) 476204.

Usual Signature			
Printed Name	MARC BENTLEY		
Capacity	CHIEF EXECUTIVE / TRUSTEE		
Date	18	01	18

LS/D/520/2/10