

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 25 APRIL 2017

Present:

Councillor Hutton (in the Chair)

Councillors

Collett	Humphreys	M Scott
Hobson	Robertson BEM	Singleton

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 21 MARCH 2017

Resolved:

That the minutes of the meeting held on 21 March 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 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 SAFETY OF SPORTS GROUND - BLACKPOOL FOOTBALL CLUB

The Sub-Committee considered an application under the Safety at Sports Ground Act 1975 for a Special Safety Certificate at Blackpool Football Club. The certificate was required for a UB40 concert on 17 June 2017. Due to the nature of the event, the requirements were different than those included within the General Safety Certificate.

Mrs Michelle Wilson, Principal Building Control Surveyor, addressed the Sub-Committee on the application. She emphasised that the proposed certificate would allow an attendance of 10,000 which would not exceed the ingress and egress limits. She advised the Sub-Committee that the event had been carefully planned and met all of the relevant health and safety requirements. In addition, the emergency services had offered no objections to the outlined proposal. It was therefore proposed that the certificate should be approved.

Mrs Wilson requested a degree of flexibility should the certificate be approved as there was still the possibility of some minor amendments to staging arrangements in line with any further comments made by the responsible authorities.

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 25 APRIL 2017

Resolved:

1. To approve in principal the application for a Special Safety Certificate.
2. To delegate the approval of the final wording of the Special Safety Certificate to the Principal Building Control Surveyor.

5 HORSE DRAWN HACKNEY CARRIAGE POLICY PROPOSAL

The Sub-Committee considered a proposal by the Licensing Service to incorporate an Insurance Framework into the Horse Drawn Hackney Carriage Licensing Policy.

Mrs Davies advised Members that in its final report, the Landau Scrutiny Committee made a recommendation, which was published on 8 February 2016, that it was important for the protection of the public that the insurance covering all Horse Drawn Hackney Carriages should be suitable and fit for purpose.

The Sub-Committee discussed the proposed policy and its various elements that included sections on Public Liability, Employers Liability, information for drivers and Material Damage Insurance. It was agreed that the policy would hopefully serve to reassure the public and drivers of Horse Drawn Hackney Carriages. It was also suggested that those sections related to liability should include reference to 'death' in addition to 'bodily harm' when referring to liability.

Resolved:

1. The Sub-Committee determined that the proposal was appropriate and that the framework provided the trade with adequate insurance cover.
2. That the wording of the public liability section be amended as follows.
'Bodily injuries or death to any person caused by or arising in connection with any horse and/or carriage being used as a licensed Horse Drawn Hackney Carriage.'
3. That the wording of the employer's liability section be amended as follows.
'Bodily Injury or death sustained by an employee that arises in connection with any horse and/or carriage being used as a licensed Horse Drawn Hackney Carriage in his or her course of employment.'

6 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCE

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

Members discussed the application as follows:

C.R.B (Existing Hackney Carriage Vehicle Driver)

Mr Luke Andrews, Licensing Officer was in attendance and presented the case on behalf of the Authority. The Sub-Committee was informed of an incident that had involved driving whilst intoxicated.

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 25 APRIL 2017

CRB was in attendance with a legal representative, Mr Coulbourn, and both made representations to the Sub-Committee. Mr Coulbourn explained that his client was a professional driver with over ten years' experience as a licensed driver without previously appearing before the Sub-Committee or having any endorsements or penalty points on his driver's licence. He added that in relation to the incident, the driver had not been intoxicated whilst driving but had consumed alcohol after the event and prior to being breathalysed by the Police. Mr Coulbourn added that this would form the basis of his client's defence in Court and emphasised that CRB had not been convicted of the offence. The driver also described in his own words, the events surrounding the incident. He added that prior to the incident he had consumed additional quantities of alcohol earlier in the day.

The Sub-Committee expressed concerns about inconsistencies in the driver's version of events as presented and with his decision to drink alcohol following the incident and with the amount consumed earlier in the day. Following a series of questions from Members, the diver admitted he regularly consumed alcohol in between his normal working patterns. Despite a long career without incident, the Sub-Committee had serious concerns about the driver's regular and relatively high level of alcohol consumption and concluded that this adversely affected his suitability to operate as a licensed driver.

Resolved:

That the Hackney Carriage 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 offence, that the revocation be with immediate effect.

Background papers: exempt

7 DATE OF NEXT MEETING

Members noted that the date of the next meeting was scheduled for Wednesday 24 May 2017.

Chairman

(The meeting ended at 6.58 pm)

Any queries regarding these minutes, please contact:
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