

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 7 NOVEMBER
2017**

Present:

Councillor Hutton (in the Chair)

Councillors

Collett	Humphreys	Singleton
Hobson	Mrs Scott	

In Attendance:

Mr Lennox Beattie, Executive and Regulatory Support Manager
Mrs Sharon Davies, Head of Licensing Service
Mr Mark Marshall, Licensing Health and Safety Enforcement Manager

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 10 OCTOBER 2017

The Sub-Committee considered the minutes of the meeting held on 10 October 2017.

Resolved:

That the minutes of the meeting held on 10 October 2017 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 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 AMENDMENT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCES TO THREE YEAR DURATION

The Sub-Committee considered a report on amending the duration of Private Hire and Hackney Carriage driver's licences from one year to three years in duration.

Mr Marshall highlighted that there was now a statutory requirement that Councils moved to issuing licences for a three year period and that the current one year period caused a significant administrative burden for the Council.

In response to questions, Mr Marshall explained that the impact on licensed drivers would be minimised by shifting to the new duration upon renewal.

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Resolved:

To approve the amended duration of licences from one year to three years.

5 REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE CRIMINAL CONVICTIONS' POLICY

The Sub-Committee considered a review of the Hackney Carriage/Private Hire Criminal Convictions.

The Sub-Committee accepted the updated version of the policy as a basis for consultation but requested the following amendments:

- (a) That paragraph 10.4 be amended to read "An applicant who has an isolated conviction related to the possession of drugs (other than supply) may be granted a licence after a minimum of 3 years for Class B or C and 5 years for Class A drugs have passed since the completion of any sentence, but consideration will be given to the nature and quantity of the drugs.
- (b) That an explicit reference to convictions for the use of mobile phones while driving be added to Section 14.

Resolved:

- 1. To approve for consultation the policy with proposed amendments as outlined in Appendix 4(a) and the additional amendments
- 2. To authorise a four-week period of consultation with the trade on the proposed amendments.

6 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCES

The Sub-Committee was informed of an applicant and an existing Private Hire Vehicle 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) J.L.H. (New Private Hire Applicant)

Mr Marshall was in attendance and presented the Authority's case. He explained that the applicant had a number of convictions related to disorder and had previously been refused a driver's licence on two previous occasions. However, he acknowledged that it was now more than three years since J.L.H's last conviction.

J.L.H. was in attendance accompanied by a family member and made representations to the Sub-Committee. He highlighted that his personal situation and level of maturity had changed since his convictions which were all related to a neighbour dispute.

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The Sub-Committee considered carefully the information, it noted that J.L.H had now been conviction free for more than 3 years and accepted this as evidence of his changed character and that he was now a fit and proper person to hold such a licence.

Resolved:

That the application in respect of J.L.H. be granted.

(ii) N.C. (Existing Private Hire Driver)

Mr Marshall was in attendance and outlined the case on behalf of the authority. He explained that since the agenda papers had been completed on the 3 November, N.C had been convicted on the charge of drink-driving and banned from driving.

The driver was not in attendance and the Sub-Committee agreed to consider the referral in his absence.

The Sub-Committee concluded that given N.C's conviction for drink-driving he was clearly no longer a fit and proper person to hold a Private Hire Driver's Licence and given the seriousness of the offence that the licence be revoked with immediate effect.

Resolved:

That the Private Hire Driver's Licence in respect of N.C. be revoked with the immediate effect, in the interests of public safety.

**7 USE OF DELEGATION OF POWERS - SUSPENSION AND REVOCATION OF HACKNEY
CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCES**

Following the Sub-Committees decision on 15 August 2017 to allow an amendment to the existing delegation of powers to permit the Head of Licensing following consultation with the Chairman/Vice-Chairman to take action where serious concerns were raised regarding the fitness of a driver to hold a Hackney Carriage or Private Hire Driver's Licence, members were advised of two cases where the use of such powers had been considered but had not been used as detailed in the attached report.

Resolved:

To note the update report on the use of delegated powers.

8 DATE OF NEXT MEETING

To note the date of the next meeting as 12 December 2017.

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Chairman

(The meeting ended at 7.00 pm)

Any queries regarding these minutes, please contact:
Chris Williams Democratic Governance Adviser
Tel: (01253) 477153
E-mail: chris.williams@blackpool.gov.uk