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# Blackpool Council

22 August 2014

To: Councillors G Coleman, Cox, Mrs Delves, Doherty, Hutton, O'Hara and Mrs Taylor

The above members are requested to attend the:

## **PUBLIC PROTECTION SUB-COMMITTEE**

Tuesday, 2 September 2014 at 10.00 am  
in Committee Room B, Town Hall, Blackpool FY1 1GB

## **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:

(1) the type of interest concerned; 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 29 JULY 2014** (Pages 1 - 4)

To agree the minutes of the last meeting held on 29<sup>th</sup> July 2014 as a true and correct record.

#### **3 APPLICATIONS TO LICENCE A CINDERELLA HORSE DRAWN CARRIAGE** (Pages 5 - 8)

To consider two applications to licence Cinderella horse drawn carriages.

\* **4 PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

(Pages 9 - 22)

To consider applicants or licence holders who have been convicted of offences or who have otherwise given reasons for concern.

(This item contains personal information regarding applicants and is therefore not for publication by virtue of Paragraph 1 of Part 1 of Schedule 12a of the Local Government Act 1972.)

**5 DATE OF NEXT MEETING**

To note the date of the next meeting as Tuesday 23<sup>rd</sup> September 2014.

**Venue information:**

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

**Other information:**

For queries regarding this agenda please contact Bernadette Jarvis, Senior Democratic Services Advisor, Tel: (01253) 477157, e-mail [bernadette.jarvis@blackpool.gov.uk](mailto:bernadette.jarvis@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](http://www.blackpool.gov.uk).

### **Present:**

Councillor Hutton (in the Chair)

Councillors

Brown

Cox

Doherty

Mrs Taylor

### **In Attendance:**

Sharon Davies, Head of Licensing Service

Ryan Ratcliffe, Licensing Officer

Bernadette Jarvis, Democratic Services Senior Adviser

Ms Gillian Ashcroft, Work Experience, observing only

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

### **2 MINUTES OF THE LAST MEETING HELD ON 1ST JULY 2014**

**Resolved:** That the minutes of the meeting held on 1<sup>st</sup> July 2014 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 decisions referred to at Agenda items 4, 5 and 6 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 APPLICATION TO LICENCE A HORSE-DRAWN HACKNEY CARRIAGE**

The Sub-Committee considered an application to licence a modified Horse-Drawn Hackney Carriage. During consideration of the application, Members conducted a visual inspection of the Carriage.

The applicant was invited to speak on behalf of the application.

Members considered the merits of the application and noted that it had previously granted six applications for Cinderella style Horse-Drawn Hackney carriages. The Sub-Committee also noted that the carriage had not yet been inspected by the Council's Carriage Inspector and that this would be arranged should the application be granted. In response to questions from the Sub-Committee, Mrs Davies, Head of Licensing Service, confirmed that the licence, if granted, would not increase the total number of Hackney Carriages licences.

**Resolved:** That the application to licence a modified Horse-Drawn Hackney Carriage be

## **MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 29 JULY 2014**

granted subject to a satisfactory inspection by the Council's Carriage Inspector.

### **5 HACKNEY CARRIAGE DRIVERS LICENCE**

The Sub-Committee was informed of an existing Hackney Carriage driver and an existing Hackney Carriage and Private Hire vehicle driver that had given sufficient cause for concern as to be referred to the Sub-Committee for consideration.

MWB was in attendance at the meeting.

#### **Resolved:**

1. That the case in respect of MAP be considered in his absence as he had been made aware of the meeting and had not been in contact to advise of the reason that he was unable to attend.
2. That in the case of MAP, the Private Hire vehicle driver's licence remain suspended pending the outcome of ongoing Police enquiries.
3. To delegate authority to the Head of Licensing Service, following consultation with the Chairman, to end the current suspension of MAP's Hackney Carriage and Private Hire driver's licence in the event that notification from the Police stating that no further action would be taken was received prior to the next meeting of the Sub-Committee.
4. That no further action be taken in respect of MWB other than to remind him that he must declare any future convictions and/or cautions immediately to the Licensing Authority.

Background papers: Exempt

### **6 PRIVATE HIRE VEHICLE DRIVERS LICENCE**

The Sub-Committee was informed of a Private Hire vehicle driver that had given sufficient cause for concern as to be referred to the Sub-Committee for consideration.

#### **Resolved:**

1. That the case in respect of TGB be considered in his absence as he had been notified of the meeting and had not been in contact to advise of the reason he was unable to attend.
2. That in the case of TGB, the application for a Private Hire vehicle driver's licence be refused on the grounds that he was not a fit and proper person to hold such a licence due to his previous criminal convictions.

Background papers: Exempt

### **7 HORSE-DRAWN HACKNEY CARRIAGE DRIVERS LICENCE**

The Sub-Committee was informed of a new application for a Horse-Drawn Hackney Carriage driver's licence.

JC, accompanied by a colleague, was invited to speak on the application.

## MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 29 JULY 2014

**Resolved:** That in the case of JC, the application for a Horse-Drawn Hackney Carriage driver's licence be granted, subject to a warning letter being issued indicating that in the event of future offences the licence may be suspended or revoked.

Background papers: Exempt

### **8 DATE OF NEXT MEETING**

Members noted the date of the next meeting as Tuesday 2<sup>nd</sup> September 2014.

### **Chairman**

(The meeting ended 11.05 am)

Any queries regarding these minutes, please contact:  
Bernadette Jarvis Senior Democratic Services Advisor  
Tel: (01253) 477157  
E-mail: [bernadette.jarvis@blackpool.gov.uk](mailto:bernadette.jarvis@blackpool.gov.uk)

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<b>Report to:</b>	<b>PUBLIC PROTECTION SUB COMMITTEE</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Service
<b>Date of Decision</b>	2 <sup>nd</sup> September 2014

## **APPLICATIONS TO LICENCE A CINDERELLA HORSE-DRAWN HACKNEY CARRIAGE**

### **1.0 Purpose of the report:**

1.1 Consider two applications to licence a modified Horse Drawn Hackney Carriage

### **2.0 Recommendation(s):**

2.1 The Sub-Committee will be requested to determine whether these carriages are suitable to be licensed as a horse-drawn hackney carriage.

### **3.0 Reasons for recommendation(s):**

3.1 Licensed horse-drawn hackney carriages are responsible for transporting passengers. It is important for the protection of the public that only carriages that are suitable and fit for purpose to be 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, the Sub-Committee must consider the applications.

### **4.0 Council Priority:**

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

## **5.0 Background Information**

- 5.1 On the 5<sup>th</sup> August 2014, Paul Savage made a request to licence a Cinderella Horse-Drawn Hackney Carriage.
- 5.2 On the 7<sup>th</sup> August 2014, Ella Sinderson made a request to licence a Cinderella Horse-Drawn Hackney Carriage.
- 5.3 The Sub-Committee decided at its meeting on the 23<sup>rd</sup> September 2010 to permit any style carriage however any carriages that were not of the traditional style were required to be produced before the Sub-Committee for approval.
- 5.4 At its meeting on 21<sup>st</sup> October 2010, the Public Protection Sub-Committee resolved that a licence in respect of the third Cinderella carriage be granted.
- 5.5 At its meeting on 10<sup>th</sup> March 2013, the Public Protection Sub-Committee resolved that a licence in respect of a fourth Cinderella carriage be granted.
- 5.6 At its meeting on 10<sup>th</sup> April 2014, the Public Protection Sub-Committee resolved that a licence in respect of a fifth Cinderella carriage be granted.
- 5.7 At its meeting on 8<sup>th</sup> May 2014, the Public Protection Sub-Committee resolved that a licence in respect of a sixth Cinderella carriage be granted.
- 5.8 At its meeting on 29<sup>th</sup> July 2014, the Public Protection Sub-Committee resolved that a licence in respect of a seventh Cinderella carriage be granted.
- 5.9 The carriages have not yet been inspected by the Council's Carriage Inspector, the inspection is due to be arranged pending the decision of the Public Protection Sub-Committee
- 5.10 The applicants have been invited to attend the meeting and bring the carriages for inspection by the Sub-Committee
- 5.11 Does the information submitted include any exempt information? Yes
- 5.12 **List of Appendices:**  
None
- ## **6.0 Legal considerations:**
- 6.1 The Head of Legal Services will be represented to advise the Sub-Committee



**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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<b>Report to:</b>	<b>PUBLIC PROTECTION SUB COMMITTEE</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Service
<b>Date of Meeting</b>	2 <sup>nd</sup> September 2014

## PRIVATE HIRE VEHICLE DRIVERS LICENCE

### 1.0 Purpose of the report:

1.1 Consider applicants who have been convicted of offences or who have otherwise given reasons for concern.

### 2.0 Recommendation(s):

2.1 The Sub-Committee will be requested to determine the applications 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

### 4.0 Council Priority:

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

### 5.0 Background Information

5.1 The Sub-Committee is asked to determine whether or not applicants/existing licensed drivers are fit and proper persons to hold a private hire driver's licence, in respect of the following cases:

T.G.B (New), L.A.K (New) and M.A.P (Existing Hackney Carriage and Private Hire)

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

5.3 Does the information submitted include any exempt information? Yes

5.4 **List of Appendices:**  
Appendix 3a Details of cases (not for publication)

**6.0 Legal considerations:**

6.1 The Sub-Committee must be satisfied that the applicant/existing driver 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

**.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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