

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 15 OCTOBER
2019**

Present:

Councillor Hutton (in the Chair)

Councillors

Mrs Callow JP
Critchley

Farrell
Hunter

D Scott
R Scott

Wilshaw

In Attendance:

Mrs Sharon Davies, Principal Licensing Solicitor
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 10 SEPTEMBER 2019

The Sub-Committee considered the minutes of the last meeting held on 10 September 2019.

Resolved:

That the minutes of the meeting held on 10 September 2019 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 items 3, 4 and 5.

4 APPLICATION TO LICENCE A MODIFIED PRIVATE HIRE VEHICLE

The applicant, Mr Griffiths was in attendance and explained to the Sub-Committee that he wished to operate an exclusive modified luxury Private Hire vehicle to satisfy a growing demand from primarily business users. Being a Private Hire vehicle only, the applicant claimed that the 23ft length of the vehicle would not be in an issue most of the time given that it would not be operating in the town centre or using any ranks. He added that it was intended for use mainly for medium to longer journeys such as airport transfers and the interior of the vehicle would be designed to provide comprehensive working facilities for passengers.

The Sub-Committee reasoned that the modifications outlined by the applicant were not excessive and saw no reason to object in principal, providing the modifications met all

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relevant standards.

Resolved:

1. To approve the application to modify a licensed vehicle, subject to the modifications to the vehicle outlined in the report being inspected and approved by Central Vehicle Maintenance Unit (CVMU) Layton Depot.
2. To delegate authority to the Trading Standards and Licensing Manager to grant the licence.

5 PRIVATE HIRE DRIVER'S LICENCE

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

Members discussed the referral as appropriate.

(i) K.U.P (Existing Private Hire Driver)

Mr Lee Petrak, Trading Standards and Licensing Manager, who was in attendance outlined the authority's case which focused on the driver's failure to declare previous criminal convictions and a driving conviction on his application to be licensed. In addition, it was reported that KUP had previously held a Private Hire Driver's Licence with another authority which had subsequently been revoked following an incident in which the driver became involved in a physical altercation with another licensed driver during work time and in a public place.

KUP was in attendance with a representative from his current employer. He expressed regret for not having declared any of the afore mentioned information on his application to be licensed. He explained that he thought that given the time that had elapsed since his last conviction, they could be considered as spent and that he therefore was unaware of the need to declare them. He added that it was not a deliberate attempt to deceive on his part. The driver wished to put the incident which led to his revocation behind him and continue working.

Despite positive input from his colleague and submission of a positive written character reference, the Sub-Committee were not satisfied with the explanations and mitigation provided by the driver. Furthermore, concerns were also expressed that KUP had effectively been operating under false pretences in Blackpool following the granting of his licence.

Resolved:

1. To revoke the Private Hire Driver's Licence on the grounds that the driver was not a fit and proper person to hold such a licence.
2. Not to prosecute for failure to declare relevant information on the application to be licensed.

Background papers: exempt

6 HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCES

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The Sub-Committee considered referrals in respect of the following cases:

i) A.A

The licence holder was in attendance and requested the Sub-Committee consider removing the conditions attached to the Hackney Carriage Vehicle Licence which had been applied when it belonged to the previous licence holder.

The Sub-Committee agreed that the licence holder gave no reason for concern and that the conditions applied to the previous licence holder were no longer relevant.

Resolved:

To remove the conditions attached to the Hackney Carriage Vehicle Licence with immediate effect as they no longer apply.

ii) F.P.L

The licence holder's daughter, Mrs Jones was in attendance to request the removal of conditions attached to the five licenses held by her mother.

The authority evidence presented included a report detailing the results of various vehicle pit-tests for vehicles associated with the five licenses since 2017. Mrs Jones explained that she had stuck to the conditions rigorously and added that she had made her expectations clear to drivers of her expected maintenance standards. She claimed that some of the failed pit tests were attributable to minor defects which had included some emissions related results.

The Sub-Committee considered the inconsistencies of the results and reasoned that despite the imposition of conditions on the licenses, there was insufficient evidence that wholesale improvements to the maintenance regime had taken place and that if they had, a higher proportion of first time pit-test pass rates would have been expected. Members felt that not enough time had elapsed with the conditions in place and concerns remained about reliance on drivers to burden most of the responsibility for vehicle maintenance.

Resolved: To not remove the current conditions attached to the five Hackney Carriage Vehicle Licenses on this occasion.

Background papers: exempt

7 DATE OF NEXT MEETING

The date of the next scheduled meeting was noted as 12 November 2019.

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Chairman

(The meeting ended at 7.10 pm)

Any queries regarding these minutes, please contact:
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