

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 29 MARCH
2022**

Present:

Councillor Hutton (in the Chair)

Councillors

Brookes	Hunter	R Scott
Farrell	D Scott	Wilshaw

In Attendance:

Sarah Chadwick, Democratic Governance Senior Advisor
James Holmes, Legal Advisor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 EXCLUSION OF PRESS AND PUBLIC

The Public Protection Sub-Committee considered excluding the public and press from agenda item five as that item contained information which was exempt from publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

It considered that the public interest would not be served by allowing the information to be held in open session due to the sensitive information about individuals outlined.

Resolved: That under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of agenda item five, Private Hire Driver Licence.

3 MINUTES OF THE LAST MEETING HELD ON 22 FEBRUARY 2022

Resolved: That the minutes of the meeting held on 22 February 2022 be approved and signed by the Chair as a correct record.

**4 TAXI FARES - BLACKPOOL LICENSED TAXI OPERATORS ASSOCIATION (B.L.T.O.A.)
SUBMISSION RE FUEL SURCHARGE**

Mr Lee Petrak, Trading Standards and Licensing Manager, presented the Sub-Committee with a proposal to introduce a surcharge to existing Hackney Carriage tariffs which would take into consideration the increase in fuel prices.

Members were reminded that the Council had discretionary powers under the Local Government (Miscellaneous Provisions) Act 1976 to set Hackney Carriage fares within its area. The current fare structure had been agreed by the Sub-Committee at its meeting in September 2021 but since that time fuel prices had escalated, in part due to the impact on supplies following the Russian invasion of Ukraine.

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Mr Petrak reported on concerns within the trade that it may not be viable for taxis to continue to operate on the current fare structure should prices continue to escalate. Rather than amend the fare structure, the Sub-Committee was presented with details of a proposed surcharge to be added to each journey on an incremental basis according to the price of diesel and unleaded as published by the Department for Business, Energy and Industrial Strategy (BEIS) on a weekly basis.

A previous surcharge agreed by the Sub-Committee in April 2008 was recommended to be replaced by the new proposal. Members were advised that the proposed surcharge was currently undergoing a period of statutory advertisement until 31 March and Mr Petrak requested that the Sub-Committee approved the proposal subject to no representations raising additional issues being received. For clarity, the intention was that the new surcharge would therefore be effective from 1 April not 31 March as recommended in the report.

Members acknowledged the impact of rising fuel prices on the trade but requested further details on how the implementation of the surcharge would be monitored to ensure it was applied correctly. Mr Petrak explained that signs were being produced to display in vehicles which explained the surcharge to customers including a link to the BEIS website where current fuel prices could be checked to ensure the correct level of charge was being applied. Members were assured that any reports of fraudulent charging would be dealt with in the strictest possible terms and that all Blackpool's main operators and taxi association would be advised that fraudulent charging would not be tolerated.

The Sub-Committee concluded that the proposed surcharge was reasonable and therefore agreed in principle to approve the implementation of a tiered surcharge structure subject to no representations being received by the end of the statutory notification period.

Resolved:

1. To agree, in principle, to the implementation of a tiered surcharge schedule according to fuel prices as published by BEIS:

Diesel

- £1.50 or above 1 extra surcharge of 30p to be added for each journey
- £1.65 or above – 2 extras added
- £1.80 or above – 3 extras added
- £1.95 or above – 4 extras added.

Unleaded

- £1.48 or above 1 extra surcharge of 30p to be added for each journey
- £1.63 or above – 2 extras added
- £1.78 or above – 3 extras added
- £1.93 or above – 4 extras added.

2. To delegate approval of the implementation of a tiered surcharge schedule to the Trading Standards and Licensing Manager with effect from 1 April 2022 to 31

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March 2023 following the end of the statutory notification period if no further representations raising additional issues were received by that date.

3. To delegate approval to the Trading Standards and Licensing Manager to remove the existing fuel surcharge from the Hackney Carriage fare structure at the same time the new fuel surcharge is introduced.

5 STREET COLLECTIONS 2022/23

The Sub-Committee considered the allocation of street collections for 2022/23 and applications received from both those organisation on the approved Council list and other organisations.

Resolved:

1. To approve street collection permits for the following organisations from the Council's approved list for the forthcoming 12 month period:
 - Blackpool R.N.L.I. - Saturday 30 July 2022 1pm-4pm and Sunday 28 August 2022 9am-5pm, 6 collectors at Lifeboat Station and surrounding area.
 - Trinity Hospice - Sunday 8 May 2022 10am–2pm, 5 collectors on Blackpool Promenade during the annual Beaverbrooks' Fun Run.
2. To approve street collection permits for the following organisations for the forthcoming 12 month period:
 - Marie Curie Cancer Care – Saturday 21 May 2022 2.30-3.30pm, 8 collectors in St John's Square, annual event featuring Irish dancing from Whittaker Dance and Drama.
 - Macmillan Cancer Support Blackpool and SSAFA (Armed Forces Charity) - Sunday 26 June 2022 12–1 pm, more than 20 taxi drivers doing a "taxi pull" on the promenade.
 - Kindness Counts UK – Sunday 31 July 2022 10am-4pm, Blackpool Promenade between North and South Piers, 10 collectors.
3. To delegate authority to the Trading Standards and Licensing Manager to issue further suitable applicants with permits.
4. 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 of a brochure on the evening of the 2022 Illuminations Switch On.

6 PRIVATE HIRE DRIVER'S LICENCE

The Sub-Committee considered the case of an existing Private Hire Driver, I.C.G., who had had been convicted of offences or had otherwise given reasons for concern.

Mr Ryan Ratcliffe, Licensing Enforcement Officer, presented the case and explained that

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upon applying to renew their licence in February 2022 I.C.G.'s Disclosure and Barring Service (DBS) certificate had revealed a formal Police caution for common assault from July 2019. The applicant had not advised the Licensing Service of the caution at the time and had failed to disclose it on their renewal form. In addition, the disclosure of 3 penalty points for speeding in May 2020 had also been omitted from the form.

Mr Ratcliffe advised Members that failure to notify the Licensing Service of the caution in 2019 and the subsequent failure to disclose the caution and speeding offence on the renewal application was contrary to sections 9.4 and 17.1 of the Hackney Carriage and Private Hire convictions policy and he therefore recommended that the minimum of a strict warning be issued.

I.C.G. appeared before the Sub-Committee and explained that the failure to disclose the information had not been deliberate and attributed it to a lack of understanding due to English not being their first language. They had not realised that a Police caution would appear on their DBS certificate and had not understood that the award of penalty points for a speeding offence was equivalent to a motoring conviction which had to be disclosed.

The Sub-Committee considered the information provided by both parties and noted the contents of a written character reference submitted to Members by I.C.G.'s employer, Premier Cabs. It therefore agreed to the renewal of the licence but to issue a strict warning letter that in the event of future incidents the licence may be suspended or revoked and reminded I.C.G. of their requirement to notify the Licensing Service of any future offences.

Resolved: That I.C.G.'s Private Hire Driver's licence be renewed with a strict warning letter that in the event of any future misconduct the licence may be suspended or revoked.

7 DATE OF NEXT MEETING- 26 APRIL 2022

The date of the next meeting was confirmed as 26 April 2022.

Chairman

(The meeting ended 6.36 pm)

Any queries regarding these minutes, please contact:
Sarah Chadwick Democratic Governance Senior Adviser
Tel: (01253) 477153
E-mail: sarah.chadwick@blackpool.gov.uk