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Blackpool Council

22 August 2022

To: Councillors Cox, Critchley, Hunter, Hutton, D Scott and Wilshaw

The above members are requested to attend the:

PUBLIC PROTECTION SUB-COMMITTEE

Wednesday, 7 September 2022 at 6.00 pm
in Committee Room A, Town Hall

A G E N D A

ADMISSION OF THE PUBLIC TO COMMITTEE MEETINGS

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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.

This information is provided for the purpose of this meeting only and must be securely destroyed immediately after the meeting.

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 either a

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

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 MEETING HELD ON 12 JULY 2022 (Pages 1 - 4)

To agree the minutes of the meeting held on 12 July 2022 as a true and correct record.

3 MINUTES OF THE MEETING HELD ON 19 JULY 2022 (Pages 5 - 8)

To agree the minutes of the meeting held on 19 July 2022 as a true and correct record.

4 MINUTES OF THE MEETING HELD ON 2 AUGUST 2022 (Pages 9 - 12)

To agree the minutes of the meeting held on 2 August 2022 as a true and correct record.

*** 5 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES** (Pages 13 - 38)

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

(This item contains personal information regarding applicants which is exempt from publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972).

*** 6 HORSE DRAWN HACKNEY CARRIAGE DRIVER LICENCE** (Pages 39 - 48)

To consider an applicant who has been convicted of offences or who has otherwise given reasons for concern.

(This item contains personal information regarding applicants which is exempt from publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972).

7 DATES OF NEXT MEETINGS

To note the dates of the next meetings as 19 September 2022 (special meeting to consider the Hackney Carriage and Private Hire Licensing Policy and consultation responses) and 4 October 2022.

Venue information:

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

Other information:

For queries regarding this agenda please contact Sarah Chadwick, Democratic Governance Senior Adviser, Tel: (01253) 477153, e-mail sarah.chadwick@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.

Present:

Councillor Hutton (in the Chair)

Councillors

Cox	Hunter	Wilshaw
Farrell	D Scott	

In Attendance:

Sarah Chadwick, Democratic Governance Senior Advisor

Sharon Davies, Senior Licensing Solicitor

Ben Williams, Barrister for Blackpool Council

Lee Petrak, Licensing and Trading Standards Manager

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE - 11-13 QUEEN STREET

The Sub-Committee considered an application by AA Recreation 1 Ltd for a new Sexual Entertainment Venue (SEV) licence for "Dreams", 11-13 Queen Street, Blackpool.

Mr Mark Newton, Director of AA Recreation 1 Ltd, attended with his legal representative, Mr Richard Williams, who presented the case on behalf of the applicant. The Sub-Committee was reminded that it first heard the application at its meeting on 8 September 2021 when it determined to defer its decision pending the outcome of an appeal by Pool Construction Ltd against the refusal to transfer the licence for 15-17 Queen Street due to concerns of potentially having two competing businesses adjacent to each other. That appeal remained outstanding and due to the time elapsed since first consideration the application had been brought back before the Sub-Committee for determination.

Mr Williams summarised the case on behalf of the applicant based on his written submissions, highlighting the Sub-Committee's view from the initial hearing when it had not been persuaded at that time that Mr Newton was unsuitable to hold a SEV licence. Members were reminded that Mr Newton already operated similar venues in the town and had offered to surrender another licence operated by him at 169 Promenade, subject to the new licence being granted for 11-13 Queen Street, as he believed that Queen Street was a more appropriate location for a SEV.

Referring to the Council's Sex Establishment Policy, Mr Williams considered that any decision should be based on the 2016 Policy which was in force when the application was made, not the subsequent 2021 Policy which determined that the number of Sex Establishments should be nil with the exception of renewal applications which benefited

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 12 JULY 2022

from grandfather rights. Mr Williams concluded by reminding Members of the four grounds for refusal available to the Sub-Committee under the Local Government (Miscellaneous Provisions) Act 1982. In his opinion, there was no valid reason to refuse the application and he therefore invited the Sub-Committee to grant the licence.

The objector to the application, Mr David Moseley, attended with his legal representative Ms Sarah Clover who presented the representations on his behalf. Ms Clover explained that the focus of the objection was based on the unsuitability of Mr Newton to hold a licence, suggesting that another licence for 15-17 Queen Street had previously been transferred to him in inappropriate circumstances when in her opinion Mr Newton had no right of occupation to that premises and had misled the Council in order to facilitate that transfer, thus making him unsuitable.

Referring to the Council's Sex Establishment Policy, Ms Clover invited the Sub-Committee to base its decision on the current 2021 Policy which allowed for no new licences to be granted and cited case law which she believed stated that was the correct legal position. In regards to the offer from Mr Newton to surrender the existing licence for 169 Promenade subject to the application being granted, Ms Clover believed this was not a relevant incentive, reminding the Sub-Committee that it already had the power to refuse to renew that licence if it was minded that the Promenade was an unsuitable location. In her opinion, it would be inappropriate to have two competing venues next door to each other should the applications for both 11-13 and 15-17 Queen Street be granted and therefore invited Members to refuse the application.

Mr Ben Williams, Barrister on behalf of Blackpool Council, reminded Members that whilst it should have regard to the Policies in force both at the time of application and determination, it was not mandated to apply either policy and had discretionary grounds to grant an application should it be minded to do so.

The Sub-Committee carefully considered the information provided by both parties. It concluded that the application should be determined at the same time as the application for 15-17 Queen Street which had been deferred to a meeting on 2 August 2022 following Counsel advice to request additional information in respect of that case. Members therefore agreed to defer consideration of the application to the same meeting.

Resolved:

That consideration of whether or not to grant a new Sexual Entertainment Venue licence for 11-13 Queen Street be deferred until 2 August 2022.

3 APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE - 15-17 QUEEN STREET

The Sub-Committee considered an application by UK Exclusive Entertainment Ltd for a new Sexual Entertainment Venue (SEV) licence for "Mystique", 15-17 Queen Street, Blackpool.

Mr Rafael Suski, Director of UK Exclusive Entertainment Ltd, appeared before the Sub-Committee accompanied by Mr Carl Moore, Licensing Consultant and Mr David Moseley,

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landlord, who was accompanied by Ms Natalie Christopher. The case was presented by the applicant's legal representative, Ms Sarah Clover.

Ms Clover referred the Sub-Committee to the comprehensive policies and plans for the venue that had been submitted with the application and drew Members' attention to the additional written submission provided by her on behalf of the applicant in advance of the meeting. The premises would be managed by Robert and Marie Norton, who had experience in running similar premises, on behalf of Mr Suski whose company had a five year lease for the premises.

In Ms Clover's opinion, the location on Queen Street was appropriate for a SEV licence and she reminded Members that no representations had been made by any of the authorities. Referring to the objection submitted by Mr Newton, the Sub-Committee was advised that Mr Suski had a good relationship with the authorities and the compliance issues highlighted in the objection had been dealt with resulting in no formal warnings, fixed penalty notices or reviews of his other licences. She therefore suggested that there was no evidence that Members could rely on to refuse the application on the grounds of unsuitability. Ms Clover further added that the premises would not be managed by or carried on for the benefit of Mr Moseley, who had previously been deemed unsuitable by the Sub-Committee, as had been suggested in the objection.

Ms Clover referred to the 2021 Sex Establishment Policy and argued that, although the application was for a new SEV licence, the Sub-Committee should consider applying grandfather rights as the premises had benefited from a licence until it had been transferred, wrongly in her opinion, to Mr Newton's company who subsequently withdrew the renewal application prompting the licence to lapse.

Presenting the representations on behalf of Mr Mark Newton, his legal representative Mr Richard Williams referred the Sub-Committee to the issues raised in the original letter of objection and supplementary written submissions. Members were asked to consider in particular the suitability of the applicant and whether the landlord, Mr Moseley, would benefit from the carrying on of the business despite having been previously refused a licence himself. In response to Ms Clover's suggestion that the Sub-Committee could consider applying grandfather rights, Mr Williams believed that the 2021 Sex Establishment Policy did not allow for any exceptions and that it should be considered as a new application and therefore be subject to the nil policy limit.

Mr Williams questioned in detail the applicant's lease for the premises, which had been confirmed by Ms Clover as five years but which the application form stated had been granted for ten years to another of Mr Suski's companies with a sub-lease issued to the applicant, UK Exclusive Entertainment Ltd. Ms Clover presented a copy of the five year lease to the Sub-Committee but was unable to provide a copy of the sub-lease at the time of the meeting. Mr Williams referred to the earlier allegation made towards Mr Newton that he had made a false declaration to the Council in order to facilitate a transfer application and suggested that if Mr Suski had misled the Sub-Committee with regards to the lease then he should similarly be considered as unsuitable.

Following questions from Members as to whether the appropriate fees had been paid in

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respect of the lease and whether failure to pay amounted to an offence, Mr Ben Williams, Barrister on behalf of Blackpool Council, suggested that legal advice should be taken from experts in property law. Ms Clover added that she would need to request further information from Kuits Solicitors, who had been involved with drawing up the lease, as to the exact position.

The Sub-Committee carefully considered the information provided and concluded that in order to make a determination the full circumstances of the lease agreement needed to be clarified. It therefore agreed to defer consideration of the case until a special meeting to be arranged on 2 August 2022. Members requested that any additional documents to be presented at that meeting must be served by 12 noon on 18 July 2022 and the Sub-Committee indicated that time limits for speeches may be imposed on the next occasion.

Resolved:

That consideration of whether or not to grant a new Sexual Entertainment Venue licence for 15-17 Queen Street be deferred until 2 August 2022.

4 DATE OF NEXT MEETING

The date of the next scheduled meeting was confirmed as 19 July 2022.

The Sub Committee noted that an additional meeting would be arranged for 2 August 2022.

Chairman

(The meeting ended 8.37 pm)

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

Present:

Councillor Hutton (in the Chair)

Councillors

Cox	Hunter	Wilshaw
Farrell	D Scott	

In Attendance:

Lennox Beattie, Executive and Regulatory Support Manager
Sharon Davies, Senior Licensing Solicitor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

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.

3 MINUTES OF THE LAST MEETING HELD ON 21 JUNE 2022

The Sub-Committee considered the minutes of the meeting held on 21 June 2022.

Resolved:

That the minutes of the meeting held on 21 June 2022 be approved and signed by the Chairman as a correct record.

4 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER'S LICENCES

(The Public and Press were excluded during the consideration of this item.)

The Sub-Committee considered two applications for Private Hire Driver's Licences and one for a joint Hackney Carriage and Private Hire Driver's Licence. In all three cases concerns had been raised by the Licensing Service as to the suitability of the applicants in view of their previous convictions or concerns raised by the responsible authorities.

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i) EST

Mr Ryan Ratcliffe, Licensing Enforcement Officer, presented the case of EST who had applied for a Private Hire Driver's Licence in March 2022. As part of the application process a DVLA check had been undertaken which revealed EST had been banned from driving under the "totting up" process for receiving 12 points on his driving licence with that disqualification ending in May 2020. The Licensing Service had in May 2022 submitted an application for an enhanced DBS on behalf of EST with EST being required to return the certificate. EST had whether deliberately or accidentally returned not the enhanced but the basic DBS check which had delayed the Licensing Service receiving full information on EST's convictions. Eventually the enhanced certificate had been submitted to the Licensing Service which confirmed that EST had been convicted of a violent offence in 2017. Mr Ratcliffe expressed significant concerns that neither of these convictions had been included on EST's application form and that the submission of a basic DBS check could be perceived as an attempt to hide such convictions.

EST was in attendance and made representations to the Sub-Committee. EST explained that he had been confused by the application process but emphasised that he had not sought to mislead the Licensing Service. EST explained that the driving incident related to confusion about his insurance status and the offence of violence related to an incident with his former partner. In both cases EST emphasised that the offences were not reflective of his character.

The Sub-Committee considered carefully the evidence submitted by all parties and the Council's Hackney Carriage and Private Hire Licensing Policy. It concluded that based on the three issues identified- poor driving record with the driver's licence only having been reinstated just over 2 years ago, an offence of violence within the last 5 years and a failure to complete the application process in as complete and as honest a manner as possible that EST would not be a fit and proper person to hold a Private Hire Driver's Licence.

Resolved:

That the application for a Private Hire Driver's Licence in respect of EST be refused.

ii) AP

Mr Ryan Ratcliffe, Licensing Enforcement Officer, presented the case of AP who had applied for a Private Hire Driver's Licence in May 2022. Mr Ratcliffe outlined that during the application process AP disclosed that he had had been convicted three times for both shoplifting and attempted shoplifting in 2017. AP had also disclosed that in the same period he had also received a ban from driving. Mr Ratcliffe highlighted the Council's Hackney Carriage and Private Hire Licensing Policy particularly paragraph 9.1 and 9.2 dealing with offences of dishonesty where the policy stated that normally applications with more than one offence of that nature would not be considered suitable to hold such a licence.

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AP was in attendance and made representations to the Sub-Committee. AP explained that the offences were all out of character and had occurred during a period of mental health crisis in effect being a “cry for help” rather than genuine displays of dishonesty. AP had since sought successful treatment and had remained free of convictions since that date a period of five years. AP expressed remorse but asked the Sub-Committee to consider his record which was without issue before and since that traumatic period.

The Sub-Committee considered carefully the evidence submitted by all parties and the Council’s Hackney Carriage and Private Hire Licensing Policy. It balanced its concern about AP’s convictions with the time that had elapsed since the offences and AP’s state of mind at the time of offences combined with his good character since receiving treatment. It could considered on balance that AP now represented a fit and proper person to hold such a licence but that a warning should be issued as to further conduct.

Resolved:

That the application for a Private Hire Driver’s Licence in respect of AP be granted subject to a warning letter outlining that in the case of further issues the licence could be revoked or suspended.

iii) KB

The Sub-Committee considered the application from KB for a New Hackney Carriage and Private Hire Driver’s Licence. The Sub-Committee was informed that KB had notified the Licensing Service that he would be unable to attend the meeting due to surgery and had requested that the application be deferred to a future meeting.

The Sub-Committee considered that the request was a reasonable one but expressed its wish for the application to be dealt with in a timely manner. It therefore agreed to defer consideration to the next normal meeting of the Sub-Committee.

Resolved:

That the application for a Hackney Carriage and Private Hire Driver’s Licence in respect of KB be deferred to the meeting on the 7 September 2022.

5 DATE OF NEXT MEETING

The Sub-Committee noted the date of the next ordinary meeting of the Sub-Committee as 7 September 2022.

The Sub-Committee noted that due to the deferral of consideration of applications for Sexual Entertainment Venue Licences that a special meeting would be held on the 2 August 2022.

Chairman

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 19 JULY 2022

(The meeting ended at 6.55 pm)

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

Present:

Councillor Hutton (in the Chair)

Councillors

Cox	Hunter	Wilshaw
Farrell	D Scott	

In Attendance:

Sarah Chadwick, Democratic Governance Senior Advisor

Sharon Davies, Senior Licensing Solicitor

Ben Williams, Barrister for Blackpool Council

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE - 11-13 QUEEN STREET

The Sub-Committee considered an application by AA Recreation 1 Ltd for a new Sexual Entertainment Venue (SEV) licence for “Dreams”, 11-13 Queen Street, Blackpool.

Mr Mark Newton, Director of AA Recreation 1 Ltd, was in attendance accompanied by his legal representative, Mr Richard Williams. The objector to the application, Mr David Moseley, also attended accompanied by his legal representative Ms Sarah Clover. The Sub-Committee had first heard the application in totality at its meetings on 8 September 2021 and subsequently on 12 July 2022 when consideration of the case had been deferred to 2 August 2022 in order that the application could be determined at the same time as that for 15-17 Queen Street due to concerns of potentially having two competing businesses adjacent to each other.

The Sub-Committee considered the application having regard to all the evidence provided at the previous meetings. The objector’s representations in regards to the suitability of the applicant were noted but, whilst some reservations were expressed by Members, the Sub-Committee did not conclude that the applicant was unsuitable to hold a licence, noting that Mr Newton already operated other similar venues in the town.

The Sub-Committee then proceeded to consider the application against Blackpool Council’s current 2021 Sex Establishment Policy under which the permitted number of SEVs was nil. Members acknowledged the previous 2016 policy which had been in force at the time of application and which did not impose the same “nil” limit, however agreed that the current policy was the correct one to apply whilst acknowledging that they had the discretion to depart from that policy if deemed appropriate to do so. On balance, the

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 2 AUGUST
2022**

Sub-Committee considered that the proposed location was unsuitable for another Sexual Entertainment Venue and was not convinced that there were compelling reasons to depart from the current policy. It therefore determined to refuse the application.

Resolved:

To refuse the application for a new Sexual Entertainment Venue licence for “Dreams”, 11-13 Queen Street, Blackpool.

[Note: Councillor Cox, who had not attended the meeting on 8 September 2021, took no part in the determination of the application as he had not heard the full circumstances of the case.]

3 APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE - 15-17 QUEEN STREET

The Sub-Committee considered an application by UK Exclusive Entertainment Ltd for a new Sexual Entertainment Venue (SEV) licence for “Mystique”, 15-17 Queen Street, Blackpool.

The case was presented by Ms Sarah Clover, legal representative of Mr Rafael Suski, Director of UK Exclusive Entertainment Ltd, who had left before the commencement of the meeting due to illness. Ms Clover was accompanied by Mr Carl Moore, Licensing Consultant, Mr David Moseley, landlord, Ms Natalie Christopher and Mr Robert Newton, proposed manager of the venue.

The Sub-Committee had first considered the application at its meeting on 12 July 2022 when it had agreed to defer determination of the case to allow for further details of the lease and the potential offence of non-payment of the associated stamp duty to be provided. Ms Clover responded to the queries about the lease by drawing Members’ attentions to the detailed written submissions and supporting documents provided with the agenda. She confirmed that there was a valid lease for the premises which had been varied from ten years to five years which in her opinion had been correctly documented and that no fraudulent activity had taken place as had been suggested. Members were informed that the Stamp Duty Land Tax had now been paid and that late payment did not amount to a criminal offence and should not be taken into account when considering the applicant’s suitability.

In summing up, Ms Clover reminded the Sub-Committee that Mr Suski had operated various other licensed premises in the town over a number of years without any formal regulatory intervention having been required. In her opinion this evidenced that he was a suitable candidate to operate the venue, adding that he would benefit from the assistance of Mr Robert Norton, an experienced manager of SEVs. Acknowledging the limit on the number of venues in the current Sex Establishment Policy, Ms Clover reminded Members that the premises had previously benefitted from a licence which had been transferred, wrongly in her opinion, and subsequently withdrawn by Mr Newton’s company. She therefore suggested that the Sub-Committee considered granting the application effectively under “grandfather rights” as it would not result in an actual

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 2 AUGUST 2022

increase in the number of SEVs had that sequence of events not taken place.

Mr Richard Williams summed up the case on behalf of the objector, Mr Mark Newton, having presented full details of his representations at the previous meeting on 12 July 2022. Referring to the suitability of applicants according to the Local Government (Miscellaneous Provisions) Act 1982, Mr Williams reminded the Sub-Committee that applications could be refused if the applicant was deemed unsuitable not just by reason of having been convicted of an offence but “for any other reason”. Although failure to pay Stamp Duty Land Tax in a timely manner was not a criminal offence, Mr Williams suggested that failure to comply with the obligations of a leaseholder in paying the appropriate stamp duty fee on time, together with the concerns he had previously outlined to the Sub-Committee with regards to the lease and Mr Moseley’s involvement in the premises, should lead to Members questioning Mr Suski’s suitability. The Sub-Committee was then reminded of the current Sex Establishment policy which introduced a zero cap on the number of SEVs and Mr Williams invited Members not to depart from that policy in determining the application.

The Sub-Committee carefully considered the information provided by all parties. Although there had been a delay in paying the required stamp duty, Members noted that this had now been resolved and did not agree with the objector’s submission that any fraudulent activity had taken place. It therefore concluded that Mr Suski was not unsuitable to hold a licence.

With regards to the Policy, the Sub-Committee was of the view that there were no exceptional circumstances presented which would lead to it agreeing to depart from the nil cap. Members did not concur with the suggestion that the application should be granted under grandfather rights provisions and considered that the policy would be undermined by granting the licence. It therefore agreed to refuse the application.

Resolved:

To refuse the application for a new Sexual Entertainment Venue licence for “Mystique”, 15-17 Queen Street, Blackpool.

4 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 7 September 2022.

Chairman

(The meeting ended 7.02 pm)

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

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Report to:	PUBLIC PROTECTION SUB-COMMITTEE
Relevant Officer:	Lee Petrak, Trading Standards and Licensing Manager
Date of Meeting:	7 September 2022

PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES

1.0 Purpose of the report:

1.1 To 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 referrals 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.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 None, as the Sub-Committee is required to determine the application and referrals.

5.0 Council priority:

5.1 The relevant Council priority is:
"The economy: Maximising growth and opportunity across Blackpool"

6.0 Background information

6.1 The Sub-Committee is asked to determine whether or not the applicants are fit and proper persons to hold Private Hire and Hackney Carriage driver licences in respect of the following cases:

D.S.C. (New applicant)
K.B. (New applicant)
A.C. (New applicant)

6.2 Details of offences or matters causing concern and any supporting documents are attached at Appendices 5(a) to 5(i).

6.3 Does the information submitted include any exempt information? Yes

7.0 List of Appendices:

7.1 Appendix 5(a) D.S.C. Details of case (not for publication)
Appendix 5(b) D.S.C. DBS enhanced certificate (not for publication)
Appendix 5(c) D.S.C. DVLA Check (not for publication)
Appendix 5(d) K.B. Details of Case (not for publication)
Appendix 5(e) K.B. Intelligence Report (not for publication)
Appendix 5(f) A.C. Details of case (not for publication)
Appendix 5(g) A.C. DBS enhanced certificate (not for publication)
Appendix 5(h) A.C. DVLA Check (not for publication)
Appendix 5(i) A.C. Application form (not for publication)

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 Local Government (Miscellaneous Provisions) Act 1976.

The Sub-Committee must be satisfied that the applicants are fit and proper persons to be licensed.

There is the right of appeal to the Magistrates' Court.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

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Report to:	PUBLIC PROTECTION SUB-COMMITTEE
Relevant Officer:	Lee Petrak, Trading Standards and Licensing Manager
Date of Meeting:	7 September 2022

HORSE DRAWN HACKNEY CARRIAGE DRIVER LICENCE

1.0 Purpose of the report:

1.1 To consider a licence holder who has been convicted of offences or who has otherwise given reasons for concern.

2.0 Recommendation(s):

2.1 The Sub-Committee will be requested to determine the referral 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.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 None, as the Sub-Committee is required to determine the application and referrals.

5.0 Council priority:

5.1 The relevant Council priority is:
"The economy: Maximising growth and opportunity across Blackpool"

6.0 Background information

6.1 The Sub-Committee is asked to determine whether or not the licence holder is a fit and proper person to hold a Horse Drawn Hackney Carriage driver licence in respect of the following case:

C.J.W.S. (Existing licence holder)

6.2 Details of offences or matters causing concern and any supporting documents are attached at Appendices 6(a) to 6(c).

6.3 Does the information submitted include any exempt information? Yes

7.0 List of Appendices:

7.1 Appendix 6(a) C.J.W.S. Details of case (not for publication)
Appendix 6(b) C.J.W.S. DVLA Check (not for publication)
Appendix 6(c) C.J.W.S. Enforcement warning letter (not for publication)

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976.

The Sub-Committee must be satisfied that the licence holder remains a fit and proper person to be licensed.

There is the right of appeal to the Magistrates' Court.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.