

# Public Document Pack

## MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - WEDNESDAY, 25 MAY 2016

### **Present:**

Councillor Hutton (in the Chair)

Councillors

Maycock	Robertson BEM	L Taylor
Mitchell	Singleton	

### **In Attendance:**

Sharon Davies, Head of Licensing Service  
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 29 MARCH 2016**

**Resolved:** That the minutes of the meeting held on 29<sup>th</sup> March 2016 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 item 7 on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 1 of Part 12A of the Act.

### **4 APPLICATION TO LICENSE CINDERELLA HORSE-DRAWN HACKNEY CARRIAGES**

The Sub-Committee considered four separate applications to license a modified Horse-Drawn Hackney Carriage. During consideration of the applications, Members conducted a visual inspection of the Carriages.

Three of the applicants Mr Savage, Mr Edwards and Mr Davidson were in attendance at the meeting. However Mr Simmons was not in attendance and did not bring his Carriage along for inspection.

Mr Andrews, Licensing Officer, who was in attendance, informed the Sub-Committee that the three Carriages on display had each been inspected by the Council's Carriage Inspector and he had confirmed that they had met the required standard.

### **Resolved:**

1. That the application to license a modified Horse-Drawn Hackney Carriage be granted in the case of Mr Savage, Mr Edwards and Mr Davidson.

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2. That consideration of the application to license a modified Horse-Drawn Hackney Carriage in the case of Mr Simmons be deferred until the June 14<sup>th</sup> 2016 meeting to allow the applicant an additional opportunity to attend.

### 5 HORSE-DRAWN HACKNEY CARRIAGE IDENTIFICATION PLATE

The Sub-Committee considered the recommendation from the Head of the Licensing Service to implement a new style Horse-Drawn Hackney Carriage identification plate that would contain more information than the current design and was designed to aid enforcement operations and bring the plates in line with those already in use on motorised taxi vehicles.

Members agreed that the current identification plate was no longer fit for purpose and should be changed to more closely resemble those already in place on motorised taxi vehicles.

#### **Resolved:**

1. To agree the new Horse-Drawn Hackney Carriage identification plate design.
2. That the newly designed identification plate be implemented from 3<sup>rd</sup> June 2016.

### 6 DONKEY DRIVER LICENCE CONDITIONS

The Head of Licensing Service advised the Sub-Committee of a recommendation to change the conditions attached to Donkey Driver licences that would require drivers to wear their badge whilst working on the beach and in a manner that would be plainly visible to members of the public.

The Sub-Committee agreed that in the interest of public safety it was important that such persons be easily identifiable to members of the public and enforcement officers.

**Resolved:** To add a condition to the Donkey Drivers licence that, when working on the beach, licensed donkey drivers shall wear the badge issued to them by the Council in such a position and manner as to be plainly and distinctly visible.

### 7 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCES

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

Members discussed the referrals as follows:

- (i) SRB – Existing Hackney Carriage Driver's Licence

SRB was not in attendance at the meeting.

Mrs Davies informed Members that the driver had requested that the Sub-Committee defer consideration of the case until he had secured a legal representative to speak on his behalf.

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**Resolved:** The Sub-Committee agreed to defer consideration of the case until its next meeting on 14th June 2016 to allow sufficient time for the driver to seek legal representation.

(ii) KNT – Existing Private Hire Vehicle Driver’s Licence

Mr Marshall, Licensing and Health and Safety Enforcement Manager, and Luke Andrews, Licensing Officer who were in attendance presented the case on behalf of the Authority. Also in attendance were Mr Taylor, Public Protection Officer and Ms Brierley, Civil Enforcement Officer who also made representations to the Sub-Committee.

KNT was in attendance at the meeting accompanied by a friend and Mr Charnley, his legal representative. Each made representations to the Sub-Committee.

Mr Marshall described an incident in which a Civil Enforcement Officer had been subject to verbal abuse whilst carrying out her duties and issuing a Penalty Charge Notice to an illegally parked vehicle. Members were informed that Ms Brierley had identified KNT from a series of photographs presented to her by Officers of the Council in a bid to identify the driver responsible for the abuse. In addition, the Sub-Committee was shown body camera footage of the incident recorded by Ms Brierley on which the verbal abuse could clearly be heard though no individual could be easily identified.

Mr Charnley reported that his client had not engaged with the Civil Enforcement Officer as had been claimed and he explained that it had actually been a friend who was also present that had displayed abusive behaviour at the time of the incident.

The Sub-Committee noted the nature of the applicant’s prior convictions and his appearances before them on previous occasions. It was agreed that in relation to the incident, his conduct had not been in line with the expectations of a licensed driver. Members expressed concerns at the nature of the incident, the version of events described in the statement made by the driver’s friend and the lack of supporting evidence to substantiate the driver’s claims. In addition, the Civil Enforcement Officer’s video evidence and long years of service were also taken into account.

**Resolved:** That the Private Hire Vehicle drivers licence be revoked on the grounds that the driver was not a fit and proper person to remain licensed and his conduct had fallen significantly short of the standards expected of a licensed driver.

Background papers: exempt

**8 DATE OF NEXT MEETING**

Members noted that the date of the next meeting was scheduled for Tuesday 14<sup>th</sup> June 2016.

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**Chairman**

(The meeting ended at 8.04 pm)

Any queries regarding these minutes, please contact:

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