

MINUTES OF PUBLIC PROTECTION SUB MEETING - TUESDAY, 1 JULY 2014

Present:

Councillor Hutton (in the Chair)

Councillors

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| Brown | Doherty | Mrs Taylor |
| Mrs Delves | O'Hara | |

In Attendance:

Sharon Davies, Head of Licensing Service

Ryan Ratcliffe, Licensing Officer

Bernadette Jarvis, Senior Democratic Services Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 EXCLUSION OF THE PUBLIC

1. 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 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.

2. That under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting for part or all of the decision making at Agenda items 3 and 4 in order to receive information which is protected by legal privilege and is therefore exempt from publication by virtue of Paragraph 5 of Part 1 of Schedule 12A of the Act.

3 MINUTES OF THE LAST MEETING HELD ON 8TH MAY 2014

Resolved: That the minutes of the last meeting held on 8th May 2014 be signed by the Chairman as a correct record.

4 LICENSING OF NOVELTY HORSE DRAWN HACKNEY CARRIAGES

Mrs Davies, Principal Solicitor Licensing, reminded Members that at its last meeting the Sub-Committee had expressed concern about the increasing number of non-traditional style Horse -Drawn Hackney Carriages and requested that a report be brought to this meeting to consider options for limiting the number of this type of carriage.

Mrs Davies advised Members that the Council's responsibilities for licensing Hackney Carriages under current legislation were to ensure the safety, convenience and comfort of passengers and to enable the public to distinguish between Hackney Carriages and Private Hire vehicles. She outlined the legal implications of placing a limit on the number

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of a particular style of vehicle which could give a competitive advantage to some Horse-Drawn Hackney Carriage proprietors.

Mrs Davies confirmed that the Sub-Committee was currently able to review each application for a non-traditional style Horse-Drawn Hackney Carriage on its merits and during consideration of the application, public safety must be the principal factor in determining the application.

Members discussed the options for limiting the number of non-traditional style Horse-Drawn Hackney Carriages and had regard to the Council's Hackney Carriage and Private Hire Licensing Policy.

Resolved: That no changes be made to the Council's Horse-Drawn Hackney Carriage Policy and to request that all applications for modified Horse-Drawn Hackney Carriages be presented to the Sub-Committee for approval with the vehicle being made available for a visual inspection by Members during consideration of the application.

Background papers: None

5 APPLICATION TO LICENCE A MODIFIED 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, accompanied by a friend was invited to speak on behalf of the application.

Members discussed the merits of the application and made favourable comments on the style of the Carriage. The Sub-Committee 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 approved.

Resolved: That the application to licence a modified Horse-Drawn Hackney Carriage be granted subject to a satisfactory inspection by the Council's Carriage Inspector.

Background papers: None

6 HACKNEY CARRIAGE VEHICLE LICENCE

The Sub-Committee was informed of an application to remove additional conditions from a Hackney Carriage vehicle licence.

SJH was in attendance at the meeting.

Resolved: That the additional conditions previously attached to the Hackney Carriage licence be removed due to the licence holder's exemplary record in terms of his conduct and the condition in which he operated his vehicles.

Background papers: Exempt

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7 PRIVATE HIRE VEHICLE DRIVERS LICENCE

The Sub-Committee was informed of two new applications for a Private Hire vehicle driver's licence and an existing Private Hire vehicle driver that had given sufficient cause for concern as to be referred to the Sub-Committee for consideration.

It was also asked to consider a further Private Hire vehicle driver as an urgent item as the incident that had given cause for concern was not known at the time that the Agenda had been despatched.

JRH, SB, NS and MAP were in attendance at the meeting.

Resolved:

1. That in the case of JRH, a severe warning letter be issued indicating that in the event of further similar offences suspension or revocation of the licence would be the likely outcome.
2. That in the case of SB, no action would be taken to prosecute for failure to disclose a previous conviction.
3. That in the case of SB, the application for a Private Hire vehicle driver's licence be granted subject to the completion of a satisfactory knowledge test.
4. That in the case of NS, no action would be taken to prosecute for failure to disclose his criminal convictions.
5. That in the case of NS, the application for a Private Hire vehicle 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.
6. That the case in respect of MAP would be considered as an urgent item as the incident that had given cause for concern had not been known at the time that the Agenda had been despatched.
7. That the Private Hire vehicle driver's licence be suspended in the interests of public safety and that the case be resubmitted for consideration by the Sub-Committee at its meeting on 29th July 2014 to enable the outcome of ongoing Police investigations to be known.

Background papers: Exempt

Chairman

(The meeting ended 11.36 am)

Any queries regarding these minutes, please contact:
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