

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 24 JANUARY
2017**

Present:

Councillor Hutton (in the Chair)

Councillors

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| Collett | Hobson | Robertson BEM |
| Cox | Humphreys | Singleton |

In Attendance:

Mrs Sharon Davies, Head of Licensing Service
Mr Chris Williams, Democratic Services Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interests on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 6 DECEMBER 2016

Resolved:

That the minutes of the meeting held on 6 December 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 decision 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.

4 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE

The Sub-Committee was informed of Hackney Carriage and Private Hire Vehicle Driver Licence applicants who had given sufficient cause for concern as to be referred to the Sub-Committee for consideration.

Members discussed the application as follows:

- (i) JB - New Private Hire Vehicle Driver Applicant

JB was in attendance and advised the Sub-Committee that the offence referred to in the report was an isolated incident and he expressed regret in relation to the events in question.

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 24 JANUARY
2017**

Mr Luke Andrews, Licensing Officer, who was in attendance, presented the case on behalf of the Authority. Mr Andrews advised that the applicant had declared the conviction for a public order offence that had occurred less than three years prior to the date of application.

The Sub-Committee reasoned that the applicant had shown remorse. However, concerns were expressed at the amount of time that had elapsed since the offence and the type of offence itself. In addition, Members were not convinced by the limited representations offered by the applicant.

Resolved:

That the application for a Private Hire Vehicle Driver's Licence be refused on the grounds that the applicant was not a fit and proper person due to the type of offence committed and the relatively short time that had elapsed since the date of the offence.

(ii) JRP - New Hackney Carriage and Private Hire Vehicle Driver Applicant

JRP was in attendance and made representations to the Sub-Committee. He explained that he had lived with a medical condition related to his eyesight for many years and it had not impaired his ability to drive. He added that he had declared his condition to the Driving and Vehicle Licensing Agency and it was therefore listed on his vehicle licence.

Mr Andrews presented the case on behalf of the Authority. He reported that in addition to the medical condition described by the applicant, there was also a previous conviction for an offence that had involved deception, though it was acknowledged that over 20 years had elapsed since the offence.

Members were advised that as part of the application process, drivers were required to pass a medical to group 2 standards and that this was the same type of medical required to be licensed as a bus or lorry driver. The applicant in this case had failed to meet the requirements of the medical certificate despite comments from his doctor that suggested the applicant was able to drive cars only.

The Sub-Committee considered the case and agreed that whilst the applicant had driven for many years without incident, there was insufficient medical evidence to make a decision regarding the application.

Resolved:

To defer consideration of the case until the 21 February 2017 meeting, to allow the applicant time to provide additional and more comprehensive medical information related to his condition.

(iii) ASW - New Hackney Carriage Applicant

ASW was in attendance and made representations to the Sub-Committee.

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 24 JANUARY 2017

Mr Andrews presented the case on behalf of the Authority.

The Sub-Committee was informed of a track record of offences committed by the applicant over a period of 35 years. In addition to the convictions, including some for dishonesty, possession of drugs and motoring offences, the applicant had failed to declare a recent conviction during the application to be licensed process. The Sub-Committee had previously revoked the applicants licence on 16 June 2015 for non-declaration of an offence.

AW described the most recent incident that had led to him receiving a Police caution and explained that in his opinion, he had not been at fault. He added that at the time of the application to become licensed, he had simply forgotten to declare the incident when completing the relevant form.

Members expressed concerns about the applicant's conviction history and his subsequent explanations in relation to some of those convictions. The Sub-Committee was also unconvinced by the reasons offered by the applicant for his failure to disclose an offence during the most recent application to be licensed and his unwillingness to admit responsibility.

Resolved:

1. To not prosecute the applicant for non-disclosure of the offences on his application to be licensed.
2. That the application for a Hackney Carriage Driver's Licence be refused on the grounds that the applicant was not a fit and proper person due to the nature and recency of his offences.

Background papers: exempt

5 DATE OF NEXT MEETING

Members noted that the date of the next meeting was scheduled for Tuesday 21 February 2017.

Chairman

(The meeting ended at 6.50 pm)

Any queries regarding these minutes, please contact:
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