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MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 21 FEBRUARY 2017

Present:

Councillor Hutton (in the Chair)

Councillors

Collett	Humphreys	Robertson BEM
Hobson	Maycock	Singleton

In Attendance:

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

Apologies:

Councillors

1 DECLARATIONS OF INTEREST

Councillor Collett declared a prejudicial interest in relation to agenda item 3, 'Application to license a Cinderella Horse-Drawn Hackney Carriage'. The nature of the interest being that he knew the applicant.

2 MINUTES OF THE LAST MEETING HELD ON 24 JANUARY 2017

Resolved:

That the minutes of the meeting held on 24 January 2017 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 APPLICATION TO LICENSE A CINDERELLA HORSE-DRAWN HACKNEY CARRIAGE

The Sub-Committee considered an application to license a modified Horse-Drawn Hackney Carriage. During consideration of the application, Members conducted a visual inspection of the Carriage.

Mr Simmons was in attendance at the meeting.

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

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Resolved:

That the application to license a modified Horse-Drawn Hackney Carriage be granted in the case of Mr Simmons.

NOTE: Councillor Collett, having declared a prejudicial interest, took no part in consideration of the item and the subsequent discussions and decision.

5 PRIVATE HIRE AND HACKNEY CARRIAGE 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) 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. Following a question, the applicant advised that he had not been in contact with the DVLA more recently to advise of any changes with his eyesight. The Sub-Committee also considered a recent eye test report submitted by the applicant.

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 reasoned that while the applicant had driven without incident for many years, there were concerns that his impaired vision could pose a risk to fare paying passengers.

Resolved:

That the application for a Private Hire Vehicle Driver's Licence be refused on the grounds that the applicant had not met the relevant medical standards required of all prospective licensed drivers.

(ii) SMA - New Private Hire Vehicle Driver Applicant

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

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Mr Andrews presented the case on behalf of the Authority. He advised that the applicant had a fairly extensive list of prior convictions for a wide range of offences that included drugs, driving and dishonesty offences. In addition, it was reported that the applicant had failed to declare many of the convictions when completing the application to be licensed.

SMA advised that he had made some poor choices in the past and showed remorse for the offences he had committed. He added that he could not recall the precise details of some of the offences and so was unable to fully list them on the application form.

The Sub-Committee considered the representations and agreed that whilst the applicant had shown remorse, the fact that he had a long history of offending behaviour and had repeatedly withheld information regarding his convictions led to a stern view being taken.

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 number and type of offences committed and the relatively short time that had elapsed since the date of the last offence.

6 DATE OF NEXT MEETING

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

Chairman

(The meeting ended at 6.45 pm)

Any queries regarding these minutes, please contact:
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