

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 31 JULY 2018

Present:

Councillor Hutton (in the Chair)

Councillors

Collett	Humphreys	Mrs Scott
Hobson	Robertson BEM	

In Attendance:

Mrs Sharon Davies, Head of Licensing Service
Mr 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 3 JULY 2018

The Sub-Committee considered the minutes of the last meeting held on 3 July 2018.

Resolved:

That the minutes of the meeting held on 3 July 2018 be approved and signed by the Chairman.

3 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 items 4 and 5 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 LICENCE 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.

The applicant Ms Bebbington was in attendance at the meeting.

Mr Dave Verity, Public Protection Officer, who was in attendance, informed the Sub-Committee that the Carriage on display had yet to be inspected by the Council's Carriage Inspector and this would be done as soon as he was available to carry out the inspection.

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Resolved: That the application to license a modified Horse-Drawn Hackney Carriage be granted in the case of Ms Bebbington subject to a satisfactory outcome of an inspection by the Council's Carriage Inspector.

5 PRIVATE HIRE DRIVERS LICENCE

Members were informed of a Private Hire Vehicle Driver applicant who had given sufficient cause for concern as to be referred to the Sub-Committee for consideration.

Members discussed the application as follows:

- (i) A.J.M. (New applicant)

Mr Verity advised the Sub-Committee that the applicant had a number of convictions for motoring offences, one of which was for driving whilst intoxicated. He added that the applicant had been banned from driving once for drink driving and once under the totting up of penalty points rule.

AJM expressed regret for his convictions and explained that he had to contend with some difficult personal circumstances at the time of his drink driving conviction and maintained that, in his opinion, it was important to consider that he was only marginally over the legal limit for blood alcohol level. AJM suggested that he was good at dealing with people as he had previously run a business and wanted to continue to work with members of the public.

Despite the applicant's explanation regarding his convictions, given the number and nature of his offences, particularly with regard to motoring offences, the Sub-Committee were unconvinced of his suitability to become a licensed driver.

Resolved: To refuse to grant the Private Hire Driver's Licence on the grounds that the applicant was not a fit and proper person.

Background papers: exempt

6 HACKNEY CARRIAGE VEHICLE LICENCE

NOTE: Councillor Humphreys was not present until the consideration of the Agenda Item and took part in all subsequent discussions.

The Sub-Committee considered whether a licence holder was a fit and proper person to hold a Hackney Carriage Vehicle Licence, in respect of the following case:

- (i) J.N. (Existing licence holder)

Mr Verity presented the Authority's case. He described the licence holder's desire to have conditions attached to his Hackney Carriage Vehicle Licences removed which he felt were no longer applicable to him. Despite the conditions, vehicles operated by JN had been found to have some mechanical defects on various occasions uncovered during routine stops by the Council Enforcement Team or through failing pit tests at Layton depot.

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JN was in attendance and reported that he had operated a maintenance schedule on each of the vehicles in his possession for many years and on the whole felt he had not fallen foul of the authority, though admitted that on occasion there had been some lapses in standards. The licence holder suggested that in his opinion, once he had informed the drivers in charge of his vehicles of their responsibilities, then they were obliged to inform JN of any maintenance issues in order that they be rectified.

The Sub-Committee considered the representations made by the applicant and the evidence presented by the authority. Whilst JN's maintenance record was not deemed to be severely lacking, concerns about the level of responsibility he displayed and his failure to fully appreciate the importance of regular and scheduled maintenance and record keeping led Members to question the licence holder's commitment. It was felt that removing the conditions currently on the licence could in effect lead to a lowering of standards.

Resolved: To not remove the conditions attached to the Hackney Carriage Vehicle Licences in order to ensure future compliance.

Background papers: exempt

7 DATE OF NEXT MEETING

Members noted that the date of the next meeting was scheduled for Tuesday 4 September 2018.

Chairman

(The meeting ended at 7.08 pm)

Any queries regarding these minutes, please contact:
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