

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 20 JULY 2021

Present:

Councillor Hutton (in the Chair)

Councillors

Critchley

Farrell

D Scott

R Scott

In Attendance:

Sarah Chadwick, Democratic Governance Advisor

Sharon Davies, Senior Licensing Solicitor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 EXCLUSION OF PRESS AND PUBLIC

The Public Protection Sub-Committee considered excluding the public and press from agenda item three as that item contained information which was exempt from publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

It considered that the public interest would not be served by allowing the information to be held in open session due to the sensitive information about individuals outlined.

Resolved: That under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of agenda item three, Hackney Carriage and Private Hire Driver Licences.

3 MINUTES OF THE LAST MEETING HELD ON 22 JUNE 2021

Resolved: That the minutes of the meeting held on 22 June 2021 be approved and signed by the Chair as a correct record.

4 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCES

The Sub-Committee considered licence holders who had been convicted of offences or who had otherwise given reasons for concern.

i. J.R.H.

Mr Ryan Ratcliffe, Licensing Enforcement Officer, informed the Sub-Committee that J.R.H. had requested a deferral of consideration of their case as they were unable to attend due to childcare responsibilities.

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The Sub-Committee agreed to defer the case to its next meeting on 8 September 2021.

Resolved: That the case of J.R.H. be deferred to the next meeting of the Public Protection Sub-Committee on 8 September 2021.

ii. J.S.

Mr Ryan Ratcliffe, Licensing Enforcement Officer, presented the case to the Sub-Committee. He informed Members that J.S. was an existing Hackney Carriage driver who had been licensed for over 30 years.

On 10 June 2021 J.S. was observed smoking in a Hackney Carriage vehicle by Mr Ratcliffe who advised J.S. that they would be reported for the offence of smoking in a smoke-free place under section 7 of the Health Act 2006. Members were advised that J.S. had been observed smoking in a licensed vehicle on two previous occasions by Mr Ratcliffe, firstly in September 2019 when they were issued with a fixed penalty notice and then in July 2020 when they were given a verbal warning that any future occurrences would result in an appearance before the Public Protection Sub-Committee. Mr Ratcliffe concluded that despite the previous interventions by the Licensing Service this had not deterred J.S. from continuing to smoke in their vehicle and recommended the minimum of a suspension.

In response J.S. expressed their regret and acknowledged that such actions were unacceptable. J.S. informed the Sub-Committee that they did not smoke in front of customers and asked Members to take into consideration that in over 30 years of driving the smoking offences had been their only indiscretions.

The Sub-Committee carefully considered the information provided by both parties. Members expressed concerns over the number of occasions J.S. had been caught smoking in their licensed vehicle and noted that previous warnings from the Licensing Service had not been heeded. Whilst the remorse of the driver was noted, Members considered the behaviour fell well below the standards expected of a licensed driver and therefore agreed to impose a four week suspension.

Resolved: To suspend J.S.'s Hackney Carriage Driver Licence for a period of four weeks.

5 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 8 September 2021.

Chairman

(The meeting ended 6.28 pm)

Any queries regarding these minutes, please contact:
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