

MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 18 JULY 2023

Present:

Councillor Hunter (in the Chair)

Councillors

S Brookes

Jones

D Scott

Walsh

In Attendance:

Sarah Chadwick, Democratic Governance Senior Advisor

Sharon Davies, Senior Licensing Solicitor

Lee Petrak, Licensing and Trading Standards Manager

Ryan Ratcliffe, Licensing Enforcement Officer

Tyrone Wassell, Democratic Governance Advisor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 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 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.

3 MINUTES OF THE LAST MEETING HELD ON 6 JUNE 2023

The Sub-Committee considered the minutes of the last meeting held on 6 June 2023.

Resolved: That the minutes of the meeting held on 6 June 2023 be approved and signed by the Chairman as a correct record.

4 SAFETY CERTIFICATION BLACKPOOL FOOTBALL CLUB

Michelle Wilson, Head of Building Control presented a report to the Sub-Committee informing them of the change in the Safety Certification of the Football Ground to a risk-based Safety Certification.

The Sub-Committee noted the changes in approach highlighted in the report. It also noted there were no significant issues currently with the operation of the stadium and that the capacity would remain unchanged from the existing certificate. The Sub-Committee considered the change in certification reasonable and agreed the revised approach was proportionate.

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Resolved:

1. To agree the transition from current prescriptive safety certificate to risk-based safety certificate for Blackpool Football Ground
2. To agree to delegate approval of the new Ground Safety Certificate to the Head of Building Control.

5 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCES

The Sub-Committee considered the cases for existing Hackney Carriage licence holders and new applicants for Private Hire and an existing Horse Drawn Hackney Carriage Driver's Licences who had been convicted of offences or who had otherwise given the Licensing Authority cause for concern.

J.H

Mr Ryan Ratcliffe Licensing Enforcement Officer, presented the case for the Local Authority, Mr Ratcliffe informed the Sub-Committee that a new application for a Private Hire Driver's Licence JH had failed to disclose previous driving convictions. JH had been convicted of 2 driving offences which had resulted in an 8 month disqualification from driving under the totting up procedure.

JH who was present before the Sub-Committee and had brought a friend to help them understand the process, informed the Sub-Committee he had been disqualified for a speeding offence, and for failing to give the identity of the driver. JH had since been working as a delivery driver since 2021 and JH had held a clean licence since the disqualification.

The Sub-Committee considered JH's fitness and propriety for holding such a licence and agreed to grant the licence but issue a strict warning letter that in the event of any future incident the licence may be suspended or revoked.

Resolved:

That JH's application for a Private Hire Driver's Licence be granted with a strict warning letter that in the event of any future misconduct the licence may be suspended or revoked.

T.H

The Sub-Committee considered the case of TH a new applicant for a Hackney Carriage Driver's Licence. It was noted that TH was not in attendance and considered that it would be beneficial if consideration could be deferred to the next meeting to enable them to attend.

Resolved:

That consideration of the Hackney Carriage Driver's Licence application in respect of TH be deferred to the meeting of the Sub-Committee on the 6 September 2023.

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G.S

Mr Ratcliffe presented the case for the Local Authority and informed the Sub-Committee that an application for Private Hire Driver's Licence had been received, upon a completed Disclosure and Barring Service check for GS, it revealed a conviction from March 2019 for driving a vehicle with excess alcohol resulting in a disqualification from driving. Mr Ratcliffe drew the Sub-Committee's attention to section 10 of the Hackney Carriage and Private Hire Licensing Policy in relation to driving offences which stated that a licence would not be granted until at least seven years had elapsed since the completion of any sentence or driving ban, only 3 years had passed since the completion of GS's driving ban. GS was present before the Sub-Committee explained the reasons that had led to a misguided decision of driving whilst under the influence of alcohol. GS told the Sub-Committee they were attempting to prevent damage to their car by moving it a short distance to a location GS perceived to be safer.

The Sub-Committee considered the reasons behind GS's actions and it was agreed that GS did not demonstrate their fitness and propriety to hold such a licence.

Resolved:

To refuse the application for a Private Hire Driver's Licence in relation to GS.

F.I

Mr. Ratcliffe presented the case for the Local Authority Mr Ratcliffe informed the Sub-Committee that a new application for a Hackney Carriage Drivers Licence had been received from FI. The Disclosure and Barring Service check revealed a conviction from 2015 for 2 offences, driving whilst disqualified and driving while uninsured.

FI was present before The Sub-Committee and provided more information about the revocation of their Driving Licence, FI told the Sub-Committee that at the time of the suspension, they at the time of the incident had held a full DVLA driving licence for less than 2 years, the licence was revoked with a requirement to pass a driving test.

The Sub-Committee requested further information, FI's explained more context behind the incidents that led to the conviction. At the time of the incident FI had been working for a Homecare company and were caught speeding whilst responding to a notification that one of their patients had suffered a fall, FI further explained, whilst disqualified from driving had driven a friend's car who required medical attention. FI expressed contrition for the incidents.

The Sub-Committee considered that FI demonstrated exceptional circumstances and had decided to depart from the policy and grant the Hackney Carriage Driver's Licence.

Resolved:

That FI's Hackney Carriage Driver's Licence be granted with a strict warning letter that in the event of any future misconduct the licence may be suspended or revoked.

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A.R.Y

Lee Petrak Trading Standards and Licensing Manager presented the case of ARY on behalf of the Local Authority. The Licensing Authority requested the Sub-Committee to defer the case relating to ARY, Mr Petrak informed the Sub-Committee that representation had been received from Blackpool Licensed Taxi Operators Association (B.L.O.T.A) and there was more work yet in order to ensure a full account could be presented to the Sub-Committee.

Resolved:

That consideration of the Hackney Carriage Driver's Licence in respect of ARY be deferred to the meeting of the Sub-Committee on the 6 September 2023.

K.J.D

Mr Ratcliffe presented the case for the Local Authority, the Licensing Authority had received notification that KJD's DVLA driving licence had been revoked, KJD held a Horse Drawn Hackney Carriage Driver's Licence for operating a Horse Drawn Carriage, the Sub-Committee noted that a full DVLA licence is not required to hold such a licence.

KJD had provided full details of the incident to the Licensing Authority in writing. An accumulation of 9 penalty points for 2 offences, failing to comply with traffic signals and for using a mobile phone while driving. Due to having held a full DVLA driving licence for less than 2 years, the licence was revoked with a requirement to pass a driving test. KJD expressed regret for the mistakes they had made and were sorry for their actions.

The Sub-Committee considered the transparency in how KJD represented themselves and decided to issue a warning against KJD's Horse Drawn Hackney Carriage Driver's Licence.

Resolved:

To issue a warning against KJD's Horse Drawn Hackney Carriage Driver's Licence that in the event of any future misconduct the licence may be suspended or revoked.

6 DATE OF NEXT MEETING

The date of the next meeting was noted as 6 September 2023.

Chairman

(The meeting ended 7.45 pm)

Any queries regarding these minutes, please contact:
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