

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 3 OCTOBER
2023**

Present:

Councillor Hunter (in the Chair)

Councillors

S Brookes	Jones	D Scott
Humphreys	Roe	Walsh

In Attendance:

Sharon Davies, Senior Licensing Solicitor
Tyrone Wassell, Democratic Governance Advisor

1 DECLARATION OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 06 SEPTEMBER 2023

The Sub-Committee considered the minutes of the last meeting held on 06 September 2023.

Resolved: That the minutes of the meeting held on 06 September 2023 be approved and signed by the Chairman as a correct record.

3 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCES

I.U.L.

Mr Ryan Ratcliffe presented the case on behalf of the local authority, on the 16 May 2023, The Licensing Authority had received an application from I.U.L who had made an application to become a licensed as a Hackney Carriage and Private Hire Driver. Applicants are required to submit to Enhanced Disclosure and Barring Service (DBS) check, which had revealed a conviction from December 2008 for several separate offences concerning the supply of Class A drugs in 2008 and that I.U.L had received 6 penalty points on their licence as a result of a speeding offence in March 2022, The Sub-Committee were informed that a recent DVLA check had revealed these points had been current at the time of the meeting.

Mr Ratcliffe brought the Sub-Committee's attention to the relevant Hackney Carriage and Private Hire Licensing Policy regarding offences involving the supply of drugs, which stated that a licence 'would not be granted until at least 10 years had elapsed since the completion of any sentence imposed' I.U.L had also failed to disclose their convictions when completing the application form.

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I.U.L was present before the Sub-Committee, they admitted being involved with the wrong crowd at the time I.U.L wished to make the distinction that they were only driving a car and did not physically handle any selling of drugs, further to this, I.U.L had since the conviction also done some part time work for delivery companies or as a Private Hire Driver licensed by another authority.

I.U.L was informed that failure to disclose convictions was in of itself an offence, The Sub-Committee questioned them further on the drug related offences and the driving ban they had received, I.U.L told the Sub-Committee that they were not aware of the driving ban and claimed to have contacted the DVLA after coming out of prison and there was no mentioned a driving ban, and that they were not aware that their friends at the time were selling class A drugs but knew they had recreationally used and sold marijuana.

From questions the Sub-Committee asked, I.U.L revealed they had since lived in the Blackpool area for over a decade, had married and cut all ties to the people associated with the historic drug related offences. The Sub-Committee asked for more information on the more recent speeding offence, I.U.L admitted to travelling roughly 50 miles per hour in a 30 mile per hour zone in Blackpool.

The Sub-Committee placed some relevance of the historic drug offences and decided that combined with the recent speeding offences I.U.L had displayed a pattern of behaviour not conducive with someone who would be deemed a fit and proper person to hold such a licence and decided to refuse the application.

Resolved

That the application for a Private Hire and Hackney Carriage Driver's Licence in relation to I.U.L be refused

D.L

Mr Ryan Ratcliffe presented the case on behalf of the local authority, on the 13 July The Licensing Authority received an application from D.L who had made an application to become a licensed Private Hire Driver.

Mr Ratcliffe informed the Sub-Committee that D.L was unable to be present before the Sub-Committee and had requested that the application in relation to D.L be deferred to the next meeting.

The Sub-Committee agreed that the request to defer was reasonable.

Resolved:

To defer the application for a Private Hire's Driver licence for DL until the next Public Protection Sub-Committee Meeting on 31 October 2023

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D.W.G

Mr Ryan Ratcliffe presented the case on behalf of the local authority, on the 13 July The Licensing Authority received an application from D.W.G who had made an application to become a licenced Hackney Carriage Driver. Applicants are required to submit to Enhanced Disclosure and Barring Service (DBS) check, which had revealed 4 convictions dating from September 2006 to June 2017, for wounding (2006), criminal damage (2016), failing to surrender to custody (2017) and driving a motor vehicle with excess alcohol (2017) a DVLA check further revealed 2 traffic offences from June 2021, exceeding the speed limit on a motorway and January 2023, exceeding the limit on a public road. D.W.G had at the time of the meeting 6 points on their driving licence.

Mr Ratcliffe drew the Sub-Committee's attention to the relevant Hackney Carriage and Private Hire Licensing policy regarding drink driving which states that a licence 'would not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed'. The incident had at the time of the meeting occurred 6 years ago which would be less than the recommended 7 years stated in the policy.

D.W.G was present before the Sub-Committee and told them that they had been working as a machine driver on construction yards for the past 10 years, however the work in the local area was becoming less frequent and often D.W.G had to travel out of town for work, it was explained to the Sub-Committee that D.W.G had a children and grandchildren in the Blackpool area which they would like to be able to support by being close by.

The Sub-Committee asked D.W.G for further information on all of their convictions, none of which were disclosed on their application form. D.W.G told the Sub-Committee that the historic offences for wounding, criminal damage and failing to surrender to custody, in their view they had a reasonable explanation for.

The more recent offences, driving a motor vehicle with excess alcohol, exceeding the speed limit on a motorway, exceeding the limit on a public road, D.W.G admitted full responsibility for these offences explaining that they had been drinking the night prior to being caught driving with excess alcohol and decided to travel early the following morning resulting in the excess alcohol still being present when tested.

The Sub-Committee considered very carefully about granting the application form for a new Hackney Carriage Driver's Licence. Notwithstanding the explanation given by D.W.G for the offences.

The Sub-Committee determined that the convictions and offences including those for serious motoring offences were not demonstrative of the behaviours expected of professional licensed drivers and that D.W.G had not demonstrated significant mitigating circumstances to convince the Sub-Committee to depart from their policy and so chose to refuse the application.

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Resolved:

That the Application for a Hackney Carriage Driver's Licence in relation to D.W.G be refused.

4 DATE OF NEXT MEETING

To note the date of the next meeting as 31 October 2023.

Chairman

(The meeting ended 6.40 pm)

Any queries regarding these minutes, please contact:

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