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MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 26 MARCH 2024

Present:

Councillor Hunter (in the Chair)

Councillors

S Brookes
Humphreys

Jones
D Scott

Walsh

In Attendance:

Sarah Chadwick, Democratic Governance Senior Advisor
Sharon Davies, Senior Licensing Solicitor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 EXCLUSION OF PUBLIC AND PRESS

The Public Protection Sub-Committee considered excluding the public and press from agenda item four 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 four, Hackney Carriage and Private Hire Driver Licences.

3 MINUTES OF THE LAST MEETING HELD ON 20 FEBRUARY 2024

The Sub-Committee considered the minutes of the last meeting held on 20 February 2024.

Resolved:

That the minutes of the last meeting held on 20 February 2024 be approved and signed by the Chair as a correct record.

4 ALLOCATION OF STREET COLLECTIONS 2024/2025

The Sub-Committee considered the allocation of Street Collections for 2024/25 and applications received from both those organisation on the approved Council list and other organisations.

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 26 MARCH
2024**

Resolved:

1. To approve street collection permits for the following organisations from the Council's approved list for the forthcoming 12 month period from 1 April 2024 to 31 March 2025:
 - Trinity Hospice – Sunday 12 May 10am-2pm, 6 Collectors on Blackpool Promenade during the annual Beaverbrooks 10k Fun run.
 - Blackpool R.N.L.I. – Saturday 25 May 1pm-4pm and Sunday 25 August 9am-5pm, 6 collectors on Promenade between Sandcastle and Lifeboat Station.
 - Royal British Legion (Riders Branch) – Thursday 27 June 9am-6pm, 10 collectors outside Coral Island, annual poppy appeal.
 - Royal British Legion – Saturday 26 October to Saturday 9 November, poppy appeal, 25 Collection sites throughout Blackpool, annual poppy appeal.

2. To approve street collection permits for the following organisations for the forthcoming 12 month period from 1 April 2024 to 31 March 2025:
 - Brian House Children's Hospice – Saturday 13 April to Sunday 9 June, 4 collectors a day in the Town Centre and Tower Headland. Collecting as part of Elmer's Big Parade Blackpool 2024.
 - Macmillan Cancer Care – Saturday 20 April – 2.30-3.30pm, 6 collectors in St John's Square. Irish dancing from Whittaker Dance and Drama, annual event.
 - Macmillan Cancer Care – Friday 17 May to Sunday 19 May 9am-6pm, 4 collectors, St Johns Square to Church Street.
 - Diabetes UK – Friday 14 June to Sunday 16 June, 9am-6pm, 4 collectors, St John's Square to Church Street.
 - Blackpool Working Newfoundlands – Thursday 1 August to Sunday 4 August 12pm-8pm, 5 collectors, St John's Square, meet and greet event with rescue dogs during the Rebellion Festival, subject to approval from Blackpool Improvement District (BID) Team.

3. To delegate to the Trading Standards and Licensing Manager authority to issue further suitable applicants with permits.

4. To authorise the grant of a permit under the street collection regulations to cover the public collections made via the collection booths during the period of the Illuminations and to permit the sale to the public a brochure on the evening of the Switch On of the 2024 Illuminations.

5 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCES

The Sub-Committee considered the cases in respect of an applicant and an existing licence holder who had been convicted of offences or who had otherwise given cause for concern.

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 26 MARCH
2024**

i) T.P.S.

Mr Ryan Ratcliffe, Licensing Enforcement Officer, presented the case in respect of T.P.S. who had applied for a new Hackney Carriage Driver's licence.

T.P.S. had previously been licensed between September 1986 and May 2017 when their badge had been suspended by the Licensing Manager under delegated powers following an incident when they had crashed into a stationary parked vehicle and had subsequently been convicted of driving without due care and attention and failing to provide a specimen for analysis. Following the suspension no application had been made by T.P.S to renew their licence and it had therefore consequently lapsed upon its expiry.

Following conviction five penalty points and a 14 month disqualification from driving (reduced to 10 months upon completion of a course) had been issued in August 2017 which ended on 25 June 2018. T.P.S had subsequently applied to be re-licensed on two occasions and had appeared before the Sub-Committee in both November 2021 and February 2023 when their applications had been refused. The Sub-Committee's attention was drawn to section 10 of the Hackney Carriage and Private Hire Licensing Policy which stated that where an applicant had a conviction of failing to provide a specimen, a licence would not be granted until seven years had elapsed since the completion of any sentence or driving ban. As fewer than six years had passed since T.P.S.'s disqualification had ended Mr Ratcliffe urged members to give careful consideration as to whether they wished to depart from the policy and grant the application, adding that the offence of driving without due care and attention was also of particular relevance when considering their fitness and propriety to be a licensed driver.

Appearing before the Sub-Committee T.P.S. expressed regret for the incident which they stated had been an isolated occurrence. Their overall good driving record was highlighted, with no other offences since, and the circumstances of the incident were explained which had taken place whilst driving a private vehicle, not a licensed taxi and therefore no passengers had been present. Since last being licensed T.P.S. had worked with vulnerable adults and had previously held contracts to transport children and members were therefore asked to agree that they did not present a risk to the public and were invited to depart from the policy and grant the application.

The Sub-Committee carefully considered the information provided by both parties, noting T.P.S.'s contrition for the incident and their overall good driving record. Concern was expressed over the nature of the offences however on balance it agreed that T.P.S. did not pose a risk to the public and agreed to depart from the policy and grant the licence with a severe warning letter that in the event of future incidents the licence may be suspended or revoked.

Resolved:

That T.P.S.'s new Hackney Carriage Driver licence be granted with a severe warning letter that in the event of any future incident the licence may be suspended or revoked.

**MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETING - TUESDAY, 26 MARCH
2024**

ii) A.J.C.

Mr Ryan Ratcliffe, Licensing Enforcement Officer, presented the case of A.J.C., a current Hackney Carriage and Private Hire Driver who had been arrested and charged with serious sexual offences. Sentencing had taken place on 5 March 2024 when they had been given a 15 year prison term and the Sub-Committee was reminded that the Hackney Carriage and Private Hire Licensing Policy stated that a licence would not be granted for any offence involving or connected with illegal sexual activity.

Members expressed their concerns at the serious nature of the convictions and agreed unanimously to revoke the licences. In response to questions as to the likelihood of A.J.C. being relicensed in future following their release from prison, Mr Ratcliffe advised the Sub-Committee that all licence revocations were logged on the NR3 National Register of Taxi and Private Hire Revocations and Refusals for an 11 year period to which all authorities had access. Furthermore, members were assured that the convictions would remain on enhanced DBS checks for perpetuity and that A.J.C. would also appear on the Barred List.

Resolved:

To revoke A.J.C.'s Hackney Carriage and Private Hire Driver Licences with immediate effect.

6 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 23 April 2024.

Chairman

(The meeting ended 6.41 pm)

Any queries regarding these minutes, please contact:
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