

PUBLIC PROTECTION COMMITTEE

Monday, 20th April, 2015

Present:- Councillor Kyle Robinson – in the Chair

Councillors Bailey, Braithwaite, Eastwood, Hailstones, Hailstones, Matthews, Naylor, Miss Olszewski, Proctor, Walklate, Williams and Williams

Apologies Apologies were received from Councillor(s)

1. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

2. DISCLOSURE OF EXEMPT INFORMATION

Resolved: That the public be excluded from the meeting.

3. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

A report was submitted to inform the Committee of a recent conviction for drink driving imposed on Mr DHF who held a current private hire drivers licence.

The Committee considered the evidence presented by Mr DHF, the report from Officers and the Council's Guidelines for convictions.

Resolved:

(a) That the licence be reinstated and Mr DHF be permitted to resume driving.

(b) That Mr DHF be issued with a written warning.

4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

A report had been submitted regarding the re licensing of a Hackney Carriage vehicle.

The applicant was not in attendance at the meeting and no apologies had been received.

The Committee considered the report and advice from officers.

Resolved: That the request for a retest be refused.

5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

A report was submitted to inform the Committee of a recent conviction for plying for hire imposed on Mr AMA who holds a current Private Hire Driver's Licence.

Mr AMA held a current Private Hire Driver's Licence. On the 5th March 2015 an officer from the Council's legal department sent notification to the licensing section that they had been made aware by an officer from Stafford Borough Council that Mr AMA had been caught and prosecuted for plying for hire. Further information about this appeared in the Sentinel on 9th March. An extract of the article is attached to the report.

Mr AMA attended the Council's offices on 25th March on matters relating to renewing his licence. At this time it was put to him about the conviction and he duly submitted a notification of his conviction. This is also attached to the report.

Since then Mr AMA had presented a notice from the Court which outlined his conviction and subsequent fine. This notice was also attached to this report.

The committee considered the submissions put forward by Mr AMA and the Council's Guidelines for convictions.

Resolved:

That the licence be suspended for a period of 3 months.

6. FOOD SAFETY

Resolved:

That in view of the legal advice received from the barrister and the potential significant cost which would be incurred in pursuing this legal action, that legal proceedings be discontinued against the Company and the Food Business Operator.

7. TAXI LICENSING POLICY

Prior to consideration of the report the Chair expressed his sadness at the sudden passing of Mick Ormond who had been such a key partner in shaping the taxi policy. One minutes silence was held in memory of Mick.

A report was submitted to request that the Committee consider the Revised Taxi Licensing Policy for Newcastle under Lyme and that the revised Policy be implemented from 1st May 2015.

The Committee considered the additional responses that had been received to the consultation exercise and agreed to the following amendments:

1. That where a vehicle fails the exceptional circumstances test that a period of 2 months be allowed for the proprietor to find a suitable replacement vehicle. This vehicle must be under 5 years of age when it is then first tested. Upon passing the Council test the vehicle licence will run from the expiry of the previous licence. (Please note that this only applies where a vehicle has failed the exceptional circumstances test).
2. That it be made clear that the requirement for any vehicle to have a complete service history when it is tested for exceptional circumstances is only an influencing factor and that any service history would only be sought from the date of implementation of this policy (1st May 2015).

Resolved:

- a) That the final Taxi Licensing Policy for Newcastle under Lyme be implemented from 1st May 2015.
- c) That any Hackney Carriage and Private Hire licences issued to vehicles over 8 years of age will have until 31st June 2015 to meet any “exceptional condition” standards that may be contained in the final Taxi Licensing Policy.
- d) That where a vehicle fails to meet the ‘exceptional circumstances’ conditions, the licence will be deemed expired and a refund made as set out in the report.

COUNCILLOR KYLE ROBINSON
Chair