

PUBLIC PROTECTION COMMITTEE

Tuesday, 31st January, 2017

Time of Commencement: 7.00 pm

Present:- Councillor Sandra Hambleton – in the Chair

Councillors Allport, Burch, L Hailstones, P Hailstones, T Hambleton, Matthews, Proctor, Robinson, J Tagg and Walklate

Officers David Beardmore, Geoff Durham, Nigel Gardner, Steve Gee and Paul Washington - Principal Solicitor

Apologies Councillor(s) Olszewski

1. DECLARATIONS OF INTEREST

Councillor Mrs Hailstones declared an interest in item 10 and left the room during its consideration.

2. APOLOGIES

Apologies were received from Councillor Mark Olszewski

3. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 15 December, 2016 be agreed as a correct record.

4. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2, and 7 in Part 1 of Schedule 12A of the Local Government Act, 1972

5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report regarding an application for the renewal of a vehicle licence for Mr AH.

Mr AH was given the opportunity to address the committee.

Resolved: (a) That, on the basis of the circumstances outlined in the report and the evidence given by the Councils vehicle tester/fleet manager, the Committee endorsed the decision of the Councils CEO to refuse the application for a Hackney Carriage vehicle licence.

(b) That in the absence of any further evidence in relation to the presence of the metal bar found under the driver's seat of the

vehicle during its inspection the applicants dual drivers licence be revoked.

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report regarding an application for a new vehicle licence for Mr AH.

Mr AH was invited to the meeting but was not in attendance..

Resolved: On the basis of the evidence outlined in relation to the mechanical suitability of the vehicle and the evidence given by the Councils vehicle tester / Fleet Engineer, the Committee endorsed the decision taken by the Head of Environmental Health and Head of Recycling, Waste and Fleet Services to refuse the application for a Private Hire Vehicle Licence.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report regarding an application for the renewal of a dual driver's licence for Mr MS.

Mr MS was given the opportunity to address the committee.

Resolved: That the application submitted by Mr MS be approved for a limited period of 12 months and a written warning be issued as to his future conduct

8. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report regarding an application for a new dual driver's licence for Mr JB.

Mr JB was given the opportunity to address the committee.

Resolved: That the application submitted by Mr JB be approved for a limited period of 12 months

9. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report regarding an incident involving Mr MBC.

Mr MBC was given the opportunity to address the committee.

Resolved: That in view of the circumstances Mr MBC be (was) given a verbal warning as to his future conduct

10. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report regarding an incident involving Mr DB.

Mr DB was given the opportunity to address the committee.

Resolved: That Mr DB be prosecuted for operating without an operators licence contrary to Section 46(1)(d) Local Government (Miscellaneous Provision) Act 1976

11. TOWN POLICE CLAUSES ACT 1847

The committee considered a report regarding Mr RH's failure to display vehicle licence plates whilst standing for hire at the taxi rank.

Mr RH was given the opportunity to address the committee.

Resolved: That Mr RH be prosecuted for failing to display hackney carriage vehicle plates contrary to Section 52 Town Police Clauses Act 1847

12. ENVIRONMENTAL PROTECTION ACT 1990 - SECTION 33,34 AND 34(2A)

The committee considered a report regarding action taken in respect of a fly tipping offence by Mr PR.

Resolved: That Mr PR be prosecuted for the offence of fly tipping contrary to Sections 33, 34 and 34(2A) Environmental Protection Act 1990 (as amended)

13. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report notifying members of the revocation of a Hackney Carriage Driver's Licence held by Mr MQUZ.

Mr MQUZ was invited to the meeting but was not in attendance.

Resolved: That in view of the evidence, the Chief Executive's decision to revoke Mr MQUZ's Hackney Carriage drivers licence with immediate effect be endorsed.

14. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The committee considered a report regarding an incident involving Mr MH.

Mr MH was invited to the meeting but was not in attendance.

Resolved: That in view of the evidence and in accordance with the Councils policy and guidelines, Mr MH's dual drivers licence be revoked

15. MICROCHIPPING OF DOGS (ENGLAND) REGULATIONS 2015

The committee considered a report regarding cases where dogs remain unchipped or keeper details have not been updated, in breach of the regulations.

Resolved: That legal proceedings be instituted in relation to the cases outlined in the report.

16. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES

The committee considered a report advising of action taken in respect of littering offences and seeking authorisation to institute legal proceedings.

Resolved: That legal proceedings be instituted in relation to the cases detailed in the report.

17. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES

The committee considered a report advising of action taken in respect of littering offences within the Borough.

Resolved: That the report be received.

18. MR IA APPEAL OUTCOME

The committee considered a report advising of the outcome of Mr IA's appeal against the Public Protection Committee's decision to refuse an application for a new dual driver's badge.

The appeal was dismissed by Newcastle-under-Lyme Magistrate's Court.

Resolved: That the report be received..

19. BREACH OF COMMUNITY PROTECTION NOTICE

The committee considered a report updating Members on the outcome of enforcement proceedings for a breach of a Community Protection Notice in relation to persistent dog straying.

Resolved: That the report be received..

20. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR SANDRA HAMBLETON
Chair

Meeting concluded at 9.30 pm