

PUBLIC PROTECTION SUB-COMMITTEE

Tuesday, 18th December, 2018
Time of Commencement: 2.00 pm

Present:- Councillor Mark Olszewski – in the Chair

Councillors:

Miss J Cooper

J. Walklate

R. Wright

Officers

Nesta Barker - Head of Environmental
Health Services, Jayne Briscoe -
Democratic Services Officer and Anne-
Marie Pollard - Solicitor

1. **APOLOGIES**

Councillor Wright was in attendance until consideration of Mr KO but due to illness had to leave the meeting and was replaced by Councillor Julie Cooper.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **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 contained within Part 1 of Schedule 12A of the Local Government Act, 1972

4. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976**

The Committee considered an application from Mr KO for a Private Hire Vehicle Licence and requested to be exempt for the requirement to display door signs and external Private Hire plates that would normally fall outside of the policy.

In determining the application the committee considered their policy, the officers report and Mr KO addressed the Committee.

The Committee had concerns about the possibility of the vehicle being used as a private hire vehicle without any signage and it was explained that the vehicle would have a plate on the dashboard to identify its private hire information and the driver would also carry an exemption notice.

Resolved: That the exemption would apply only when the vehicle was:-

- (i) Being used to carry out executive airport transfers
- (ii) Carrying business class clients

The following conditions would be added to the licence:-

- (i) The vehicle licence must be clearly displayed on the dashboard at all times
- (ii) The driver must wear his private hire drivers badge at all times

At all other times the vehicle must be plated.

5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Committee considered notification of a conviction received by Mr MBR who holds a current Dual Hackney Carriage and Private Hire Vehicle Drivers licence.

In determining the application the committee considered their policy, the officer's report and MR MBR addressed the Committee.

Following the explanation from Mr MBR and documentary evidence the Committee were satisfied that Mr MBR should be allowed to continue in his profession with a warning as to future conduct.

Resolved: That Mr MBR be informed that if there are any further convictions/penalty points the Council must be notified within 7 days and referred back to this Committee to further consider the licence.

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Committee considered a new driver application from Mr MDHR for a Dual Hackney Carriage and Private Hire Vehicle Drivers Licence, whilst having a conviction that falls within the Councils guidelines for the relevance of convictions.

Mr MDHR failed to attend the hearing and had not contacted the Council. The Committee determined the application in the absence of this applicant.

In determining the application the application the Committee considered their policy and the officer's report. The applicant had applied to the Committee in March 2018 when the application had been refused due to the number of speeding offences that had led to the totting up disqualification in December 2016. Under the Councils policy the guidelines indicated that the applicant would not be eligible for a licence before 2022. The Committee determined that Mr MDHR was not a fit and proper person to hold a licence.

Resolved: That the licence be refused.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Committee considered an application for a new driver from Mr SZASG for a Dual Hackney Carriage and Private Hire Vehicle Drivers Licence while having a conviction that falls within the Councils guidelines for the relevance of convictions.

In determining the application the Committee considered their policy, the officer's report and Mr SZASG addressed the committee in relation to the offence.

The Committee accepted the explanation for the offences.

Resolved: (i) That MR SZASG be granted a time limited licence for a period of 12 months; at the end of this time, if no other offences are committed the licence of Mr SZASG will be extended administratively for a further period of 2 years.

(ii) That Mr SZASG be advised that should there be any further convictions/or penalty points he must notify the Council with 7 days and referred back to this Committee to further consider your licence.

8. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976**

The Committee considered an application from Mr AR who holds a current Dual Hackney Carriage and Private Hire Vehicle Drivers licence and has a conviction that falls within the Councils guidelines for the relevance of convictions.

In determining the application the Committee considered their policy, the officer's report and Mr AR addressed the Committee.

The Committee, after hearing an explanation from Mr AR of the circumstances surrounding the incident, had concerns regarding the reaction of MR AR to difficult situations, considered that they should not depart from their policy on this occasion and that this applicant was not a fit and proper person to hold a licence at this time.

Resolved: That the licence held by Mr AR be revoked.

9. **URGENT BUSINESS**

COUNCILLOR MARK OLSZEWSKI
Chair

Meeting concluded at 3.30 pm