

PUBLIC PROTECTION SUB-COMMITTEE

Wednesday, 6th March, 2019
Time of Commencement: 6.00 pm

Present:- Councillor Stephen Sweeney – in the
Chair

Councillors:
Miss J Cooper T. Kearon J Williams

Officers Jayne Briscoe - Democratic Services
Officer, Matthew Burton - Licensing
Administration Team Manager and Anne-
Marie Pollard - Solicitor

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. APOLOGIES

An apology was received from Councillor John Tagg who was represented by Councillor Julie Cooper.

3. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following items 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 a report concerning Mrs JEP who holds a current Dual Hackney Carriage and Private Hire Drivers licence. Mrs JEP was present at the meeting and was represented by Mr John Taylor.

Mrs JEP informed the Committee that she had recently committed a further offence which fell within the Councils guidelines for the relevance of convictions. The Committee considered the nature and circumstances of the offences and took into account the willingness of Mrs JEP to disclose the information within the time period stated in the guidance. The Committee took into account the number of similar offences and were mindful of the need to ensure complete safety of passengers

Resolved: That the licence held by Mrs JEP be suspended for a period of 1 month, that Mrs JEP be sent a strongly worded warning letter concerning the offences and that Mrs JEP be asked to return to the Committee prior to the expiration of the current term of her licence.

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

The Committee considered a report concerning Mr MSB who holds a Dual Hackney Carriage and Private Hire Driver Licence.

Mr MSB was present at the meeting and was represented by Mr G Cross who presented to the Committee. In respect to the requirement within the policy to notify the Council within 7 days of an offence Mr Cross explained how Mr MSB had been unaware that he had committed the offence until notification had been received from the Police that Mr Cross also raised the issue of when the Council should be notified of the offence. Officers clarified that in accordance with the policy the offence should be reported to the Borough within 7 days of the offence being committed.

Bearing in mind that the licence of Mr MSB was due to expire shortly after the period of 21 days during which Mr MSB was granted leave to appeal to the Courts, the Committee advised on the process of application.

Resolved: That Mr MSB be sent a strongly worded warning letter concerning the offence and the licence of Mr MSB be suspended for a period of 1 month.

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

The Committee considered a report concerning Mr MDB who holds a Dual Hackney Carriage and Private Hire Drivers Licence. Mr MDB, who was present at the meeting, was represented by Mr Nazrul Ilam. Mr Ilam presented the case on behalf of Mr MDB and explained the circumstances surrounding the conviction which Mr MDB had notified to Authority outside of the seven day period for the notification of offences that fall within the Council policy.

The Committee considered the nature of the offence and the willingness of Mr MDB to disclose the information within the time period stated in the guidance. Committee questioned Mr MDB to ascertain his level of understanding around recognition of speed warning signs and were not satisfied as to his level of understanding of the English language and the Highway Code.

Resolved: That Mr MDB be sent a strongly worded warning letter relating to the offence and that Mr MDB be asked to attend the Committee within 2 months in order to demonstrate that he had improved his English language skills and his understanding of the Highway Code.

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

The Committee considered a report concerning Mr DB who holds a Dual Hackney Carriage and Private Hire Driver Licence. Mr DB was not present at the meeting and it was pointed out that due to a change of address Mr DB may not have received notification of the meeting.

Resolved: That consideration of this item be deferred to the next available meeting of the Committee.

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

The Committee considered a report concerning Mr MA who holds a Dual Hackney Carriage and Private Hire Driver Licence. Mr MA, who was present at the meeting, and was represented by Mr Coss. Mr Cross set out the circumstances surrounding the case and the licensing officer clarified the issue of when to inform the council of a conviction which falls within the guidelines for the relevance of convictions.

Resolved: That Mr Ali be sent a warning letter concerning the offence.

9. **URGENT BUSINESS**

There was no items of urgent business.

COUNCILLOR STEPHEN SWEENEY
Chair

Meeting concluded at 8.50 pm