

PUBLIC PROTECTION SUB-COMMITTEE

Wednesday, 31st July, 2019
Time of Commencement: 2.00 pm

Present: Councillor John Williams (Chair)

Councillors: J. Walklate G Williams R. Wright

Officers: Jayne Briscoe Democratic Services Officer
 Julie Moore Licensing Officer
 Anne-Marie Pollard Solicitor

1. APPOINTMENT OF CHAIR

Resolved: That Councillor J Williams be appointed Chair for this meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

3. APOLOGIES

There were no apologies.

4. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following items of business 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

5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Health Services submitted a report concerning a new application from company I for a Private Hire Operator licence. The application base address fell outside the area permitted by the Councils Taxi Policy.

The applicant attended Committee and explained that the licence application was for an additional licence for 25 vehicles, the company currently holds a licence for 25 vehicles which operated from the base which falls outside the Newcastle under Lyme area. The Operator asked if the fee structure could be expanded on a pro rata basis to accommodate this request.

The Council solicitor advised that this request was not permitted under the current licence fee structure.

The Committee determined that they had not heard anything that would allow them to depart from their policy and therefore resolved to refuse the application.

Resolved: That the application be refused.

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976 - DRIVER AH

The Head of Environmental Health Services submitted a report concerning driver AH a current Dual licensed driver who had notified the authority outside the time specified in the policy of a conviction which was relevant under the Councils guidelines.

Driver AH attended committee and apologised for the lateness in notifying the council of the offence.

The Committee noted that the applicant was the proprietor of a number of vehicles and questioned the applicant on the circumstances surrounding a complaint from a Police Office made on 5 October 2018. The applicant denied speaking to the Council by telephone or of having any knowledge of the offence. In this respect the Committee did not accept the explanation given by the applicant, preferring the information given by the licensing officers.

The Committee accepted that they were dealing with the speeding offence and for that reason:-

Resolved: That applicant AH be given a final warning and resolved to allow the licence to continue. If there are any further licensing concerns applicant AH be requested to return to Committee.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976 - DRIVER IM

The Head of Environmental Health Services submitted a report concerning driver IM, a current Dual licensed driver who had notified the authority outside the time specified in the policy of a conviction which was relevant under the Councils guidelines.

Driver IM attended the Committee and was represented by Mr TM. Driver IM explained the circumstances surrounding the delay.

The Committee carefully considered the matter and took into account a previous decision of the Committee (11/12/2018) to issue a warning in relation to the failure to disclose a relevant offence which had been committed within 3 weeks of being granted a licence.

Resolved: That in view of the previous recent warning the licence be suspended for 2 weeks.

8. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976 - DRIVER SH

The Head of Environmental Services submitted a report concerning driver SH, a current Dual Driver who had notified the Authority within the time specified in the policy of a conviction which was relevant under the Councils guidelines.

The Licensing Officer reported that a complaint had recently been received in relation to driver SH and it was decided to delay consideration of this report until the investigation had been completed.

Resolved: That consideration of this application be deferred pending investigation of the recent complaint.

9. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976 - DRIVER WH**

The Licensing Officer reported that a relative of applicant WH had very recently requested that consideration be deferred as the applicant was on holiday until the end of September 2019.

Resolved: That the application from WH be deferred until the first available meeting in October.

10. **URGENT BUSINESS**

**Councillor John Williams
Chair**

Meeting concluded at 3.35 pm