

## **PUBLIC PROTECTION SUB-COMMITTEE**

Wednesday, 21st August, 2019  
Time of Commencement: 6.00 pm

**Present:-** Councillor Mark Olszewski – Chair

Miss J Cooper S. Sweeney S. Sweeney

**Officers:** Nesta Barker - Head of Environmental Health Services, Jayne  
Briscoe - Democratic Services Officer, Anne-Marie Pollard -  
Solicitor and Melanie Steadman - Licensing Officer

1. **APPOINTMENT OF CHAIR**

**Resolved:** That Councillor Olszewski 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 press and public be excluded from the meeting during consideration of 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 - DRIVER TS**

The Head of Environmental Health Services submitted a report concerning an application from driver TS for a new Private Hire Vehicle Licence and for this vehicle to be exempt from the requirement to display door signs, external Private Hire Plates and to be permitted to have tinted rear windows. This application fell outside the Councils Licensing Policy. Driver TS attended the Committee and explained that executive travel was the main business undertaken by the company, KMO Travel Executive Travel. Taking into account that the vehicle would be used only for these purpose members of the Committee granted the request subject to the following condition.

**Resolved:** That the application by driver TS be exempt from the requirement to display door signs, external Private Hire plates and to be permitted to have tinted rear windows when carrying out executive travel type work on behalf of KMO Executive Travel only. The licence plate should be visible inside the vehicle and an

identification badge worn by driver TS. When operating as a private hire vehicle, these exemptions will not apply.

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

The Head of Environmental Health Services submitted a report concerning an application from driver SK to renew a Dual Hackney Carriage and Private Hire Drivers Licence. Driver SK had notified the authority within the time period specified of a conviction which fell within the Councils guidelines.

Driver SK attended the Committee, together with his colleague IU, and explained the circumstances of the offence which were due to illness connected with the necessity to reach home. The Committee noted that driver SK had been considered by the Public Protection Committee on 9 January 2019 in relation to 3 convictions (22072017), (01012015) (08/06/2013), at which time a warning had been issued.

Driver SK was clearly remorseful and read out letters of support from his employer and from a Councillor at Stoke City Council.

The Committee were concerned at the standard of driving and in these circumstances members pointed out that the licence could have been suspended however it was noted that driver SK had not been working since 28 July and had in that sense served a period of suspension and moved to grant the application with a final warning as to future conduct.

**Resolved:** That the application be granted and a final warning be issued as to future conduct.

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

Due to the non-attendance of driver PGG consideration of this application was deferred to allow the applicant a further opportunity to attend the Committee.

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

The Head of Environmental Health Services submitted a report concerning a new application for a Dual Hackney Carriage and Private Hire Drivers Licence from driver HK. The application process had revealed several convictions which fell within the Council Policy and the guidelines for the relevance of convictions.

Driver HK attended the Committee and explained the circumstances surrounding the offences which he stated he regretted.

The Committee took into account the amount of offences which had been committed within a short time period and due to their nature and seriousness, resolved to refuse the application.

**Resolved:** That the application by driver HK be refused.

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

The Head of Environmental Health Services submitted a report concerning a new application for a Dual Hackney Carriage and Private Hire Drivers Licence from driver AH. The application process revealed convictions which fell within the Council guidelines for the relevance of convictions.

The Committee noted that driver AH had held licences which had subsequently been revoked by East Staffordshire Borough Council, by South Derbyshire District Council and by North West Leicestershire District Council.

Driver AH attended the Committee together with his friend HW and explained to the Committee the circumstances surrounding the offences and the subsequent legal action which had been taken by 2 of the Councils.

The Committee listened carefully but did not hear anything that would cause them to depart from the Council Policy. It was noted that applicant AH had been convicted of a number of serious offences and made dishonest representations which had resulted in a conviction of fraud and the revocation of his licence by 3 Councils.

**Resolved:** That the application be refused due to the nature of the offences together with the recent conviction of fraud.

10. **URGENT BUSINESS**

There was no urgent business

**COUNCILLOR MARK OLSZEWSKI**  
**Chair**

Meeting concluded at 7.30 pm