

PUBLIC PROTECTION SUB-COMMITTEE

Wednesday, 23rd October, 2019
Time of Commencement: 2.00 pm

Present: Councillor Kyle Robinson (Chair)

Councillors: Miss J Cooper G Williams J Williams

Officers:	Jayne Briscoe	Democratic Services Officer
	Matthew Burton	Licensing Administration Team Manager
	Amanda Forster	Licensing Administrator
	Anne-Marie Pollard	Solicitor
	Melanie Steadman	Licensing Officer

1. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration of 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

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APOLOGIES

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

4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Health Services submitted a report concerning an application from driver AEJ for the renewal of a Dual Hackney Carriage and Private Hire Drivers Licence. Driver AEJ had failed to notify the Council within the 7 day notice period of a conviction which fell within the authorities guidelines for the relevance of convictions.

Driver AEJ attended the Committee together with his wife and explained his mistake in believing he had notified the council and in not reading the licence conditions thoroughly. The applicant took full responsibility and sincerely apologised for his error.

Resolved: That a licence be issued to applicant AEJ together with a warning to serve as a reminder that it is the licence holder's duty to inform the Council of any convictions, in writing, in accordance with the driver licence conditions.

5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Services submitted a report concerning an application from Driver FS for the renewal of a current Dual Hackney Carriage and Private Hire Drivers Licence. Driver FS had been granted a 9 month time limited licence and asked to return to Committee due to the nature of several previous offences (23/01/2019). Driver FS had not committed any further offences.

Driver FS attended the Committee and thanked members for the opportunity to prove worthy of their trust.

Resolved: That the licence be issued.

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Health Services submitted a report concerning notification from Driver SKA, a current Dual Driver informing the authority of 2 offences which were relevant under the council's guidelines. Notification was received within the seven day period specified within the policy.

Driver SKA attended the Committee and explained the circumstances of the offences. The Committee noted the number of similar offences on the applicant's driving licence and reminded the applicant of the responsibility to be aware of the speed limit at all times.

Resolved: That a strong warning be issued and the licence be allowed to continue.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

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 KS. The application process revealed that driver KS had been convicted of plying for hire in an uninsured vehicle. Committee also noted that, during the time that driver KS held a valid licence with this Council and on a previous occasion, a complaint had been received from a member of the public regarding the standard of driving. Members of the committee also discussed with the applicant the lack of response to a number of requests from the authority for an inspection of the licensed vehicle.

Driver KS attended Committee and stated that the requests for inspection of the vehicle had not been received. Driver KS was unaware of the incident described in the report.

Resolved: The Committee carefully considered the issues highlighted in the report including driving without insurance and plying for hire, a complaint concerning the standard of driving and the failure to engage with council officials for inspection of the vehicle together with the lack of an explanation from the applicant and concluded that, due to the nature and seriousness of the offences the application be refused.

8. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

It was agreed to defer an application from driver WH to allow the applicant and his representative to attend the meeting.

9. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Health Services submitted a report concerning SI, a current Dual Licensed Driver who had been verbally abusive to staff. Driver SI had submitted an application for a Private Hire Operator Licence and, as the intended base was outside the Council boundary it had not met the requirements of Council policy. On receiving this information the applicant was abusive and aggressive towards the administrator dealing with the application. Subsequently the applicant resubmitted the application with an address inside the Borough.

Separately, driver SI had been asked to rearrange a taxi test due to staffing difficulties and had objected to this, becoming verbally aggressive to Borough Council officers. On further investigation by the authority the applicant claimed that his brother had answered the telephone call whilst parking the applicant's vehicle and confirmed that the brother was not insured to drive the licensed vehicle. The applicant also stated that it was the brother who had been abusive to staff during the telephone call.

Driver SI attended Committee and was very remorseful. The Chair explained that the authority took a very strong stance against the abuse of staff members and sought assurance that the applicant would in future not be in any way abusive to staff. The applicant stated that he would not. The Chair added that the responsibility for the use of the applicant's mobile phone lay with the applicant. Regarding the overpayment of a refund of fees the Chair asked the applicant if he intended to pay it back to the authority and the applicant confirmed that he would.

Resolved: Members of the Committee looked upon the abuse of staff as a very serious matter and decided to suspend the licence of driver SI for a period of 4 weeks. The applicant was asked to hand in his licence within 21 days and warned that should any further incidents occur members would look to revoke the licence.

10. **URGENT BUSINESS**

There were no items of urgent business.

Councillor Kyle Robinson
Chair

Meeting concluded at 3.35 pm