PUBLIC PROTECTION SUB-COMMITTEE

Wednesday, 13th November, 2019 Time of Commencement: 6.00 pm

Present:

Councillors: Miss J Cooper T. Kearon

S. Dymond M. Olszewski

Officers: Jayne Briscoe Democratic Services Officer

Matthew Burton Licensing Administration Team

Manager

Anne-Marie Pollard Solicitor

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 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 NUK failed to attend the Committee or to give any reason for not attending and the application was dealt with in the absence of the applicant.

The Head of Environmental Services submitted a report concerning a renewal application for a Dual Hackney Carriage and Private Hire Drivers Licence from driver NUK. The application process had revealed a conviction which should have been declared under the Councils policy.

Committee considered the Councils policy and guidelines and, whilst conviction of the offence would not have required the applicant to attend the Committee, the failure of the applicant to declare the offence was contrary to the Councils policy and guidelines and for this reason the Committee decided to refuse the application.

Resolved: That the application from driver NUK be refused.

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Health Services submitted a report concerning a renewal application for a Dual Hackney Carriage and Private Hire Drivers Licence from Driver TS. Applicant TS had previously held a licence with this authority which had expired (11/10/2019). The application process revealed several convictions which should have been declared under the Councils policy.

The applicant attended Committee together with his legal representative, Mr Schiller. Mr Schiller referred to naivety on the part of the applicant and explained that his client had been unsure as to what to declare on the application form, he added that the applicant was now clear. Mr Schiller circulated a reference from his employer and asked the committee to take into account the number of taxi journeys undertaken since the licence was granted and the positive changes in the home circumstances of the applicant.

The Committee listened carefully to the explanation and noted that if the applicant had complied with the policy and informed the Committee he would have been given a warning before the matter progressed. In view of the propensity to commit the offence and in line with the policy members declined to issue a licence.

Resolved: That the application from driver TS be refused.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Health Services submitted a new application from driver SAH for a Dual Hackney Carriage and Private Hire Drivers Licence. The application process revealed several convictions that fell within the Councils guidelines for the relevance of convictions and which had not been declared.

At a previous meeting of the Public Protection Committee (11/06/2018) members had been concerned at the number of offences committed by the applicant but decided to grant a 12 month temporary licence and the applicant was reminded, in writing, of the need to ensure that he was familiar with the rules and procedure of Council Policy letter dated (12/06/2018).

Driver SAH attended the meeting and explained the circumstances of the offences.

The Committee carefully considered the information and taking in account the previous warning given to the applicant relating to the need to declare the offences in line with Council policy and decided to refuse the application

Resolved: That the application from driver SAH be refused.

8. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

The Head of Environmental Health Services submitted a report concerning a new application from CD for a Dual Hackney Carriage and Private Hire Drivers Licence. The application process had revealed a conviction that fell within the Councils guidelines for the relevance of convictions and, in addition, issues relating to medical fitness to drive.

Driver CD attended the Committee and explained the background to the offences and circulated documentation concerning the medical condition.

The Committee listened carefully to the applicant and had regard to Council Policy. Committee considered both the offences and the medical condition and concluded that they had not heard anything which would cause them to deviate away from the policy.

Resolved: That the application from driver CD be refused.

9. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT - 1976

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

Driver YM attended the Committee together with his son, explained the positive change in the nature of his character since the offences and circulated a reference from a previous employer. During questioning the applicant admitted that his previous licence had been revoked by another authority and that there had been a failure on his part to declare this on the licence application.

Committee carefully considered the representations and concluded that they saw no reason to depart from Council policy and decided not to grant the licence.

Resolved: That the application from driver YM be refused.

10. URGENT BUSINESS

There were no items of urgent business

Chair

Meeting concluded at 8.15 pm