

**PUBLIC PROTECTION SUB-COMMITTEE**

Tuesday, 7th May, 2019  
Time of Commencement: 2.00 pm

**Present:-** The Mayor- Councillor Simon White – Chair

Councillors: R Wright J Williams

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

1. **DECLARATIONS OF INTEREST**

It was noted that applicant CE may be known to members of the Committee due to a previous role held at the Borough Council.

2. **APOLOGIES**

There were no apologies.

3. **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

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

The Head of Environmental Health Services submitted a report concerning an application from CE for a new Private Hire Vehicle Licence together with a request 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. Applicant CE attended Committee and explained the business reasons for the request, which fell outside the Private Hire and Hackney Carriage Licensing Policy.

**Resolved:** That, permission be granted to applicant CE for a Private Hire Vehicle licence together with exemption from the requirement to display door signs, external Private Hire Plates and to be permitted to have tinted rear windows.

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

The Head of Environmental Health Services submitted a report concerning IL, a current Dual Drivers badge holder. Driver IL had notified the Authority of a relevant conviction within the time period set out in Council Policy. The licence of IL had previously been considered by this Committee (1/11/2016) for failure to notify of other relevant matters. Driver IL attended Committee and explained the circumstances of the offence.

**Resolved:** That the licence be granted; and a warning letter be sent to driver IL setting out the need to uphold Council policy at all times and ensure the highest standard of driving.

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

**Resolved:** That the report concerning applicant KS be deferred until 29 May.

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

In accordance with a previous decision of this Committee (06/03/2019) members considered a report submitted by the Head of Environmental Services concerning MDB, a current Private Hire and Hackney Carriage Dual licensed driver who had been requested to demonstrate understanding of the English language and the Highway code. Driver MDB attended the meeting and was accompanied by Mr Cross who spoke on his behalf. Mr Cross expressed concern at the possible actions which could result if driver MDB did not pass the test. Mr Cross also had concerns regarding alleged inaccuracies within the report. Driver MDB circulated copies of certificates relevant to English speaking and taxi knowledge since becoming a British Citizen in 2009.

The Council's solicitor administered the test on the Highway Code and MDB answered 5 out of 6 questions correctly which was considered satisfactory. The Committee thanked applicant MDB for the steps taken to improve English speaking and understanding.

**Resolved:** No further action was required.

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

The Head of Environmental Health Services submitted a report concerning driver MS, a current Hackney Carriage and Private Hire Dual Licence. Driver MS had notified the Authority of a relevant conviction within the time period specified in the Council policy. Driver MS attended the meeting and was represented by Mr Stelling of Coleridge Law. Driver MS explained the background and circumstances surrounding this isolated offence. Mr Stelling directed members to examine the good driving record of MS and copies of character references were circulated.

Members carefully considered the matter before them and concluded that this was an isolated incidence which had no bearing on the current role.

**Resolved:** That applicant MS be issued with a warning letter.

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

The Head of Environmental Services submitted a report concerning a complaint received in respect of a current Dual licensed driver, MI. Driver MI attended the meeting and was represented by a solicitor, Mr Schiller. Mr Schiller referred to the driving record of MI and to the lack of previous complaint. Driver MI could not explain the actions. Committee members carefully considered the matter before them including the unsatisfactory response together with a lack of remorse for the actions.

**Resolved:** That the licence of MI be revoked on the basis that the driver under consideration was not deemed to be a fit and proper person.

10. **URGENT BUSINESS**

There were no items of urgent business.

**THE MAYOR- COUNCILLOR SIMON WHITE**  
**Chair**

Meeting concluded at 4.50 pm