

PUBLIC PROTECTION COMMITTEE

Monday 6 August 2012

Present:- Councillor M Olszewski – in the Chair

Councillors Allport, Bailey, Mrs Hailstones, Hailstones, Kearon, Matthews, Robinson, Welsh and Mrs Williams

Also in attendance – Mrs T Jones, Mr A Davies and Mr Ulhaq representing the Hackney Carriage Drivers' Association.

1. APOLOGIES

Apologies for absence were received from Councillors Mrs Heesom and Miss S Olszewski.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF PREVIOUS MEETING

Resolved:- That the minutes of the meeting of this committee held on 28 May 2012 be approved as a correct record.

4. DOG CONTROL ORDERS

Consideration was given to a report seeking approval for public consultation on proposals to make new Dog Control Orders relating to fouling, Dogs and Leads and Dog Exclusions.

It was indicated that consultation would help to simplify and refresh existing dog controls, give residents an opportunity to influence which controls were adopted and where they should be applied.

Members agreed that dog fouling was a particular problem with specific mention being made of Apedale Country Park where large numbers of dogs were walked by dog minders/walkers.

It was agreed that the consultation document should remind dog owners to act responsibly and that in the absence of dog waste bins dog waste could be disposed of in normal waste bins.

Details of the proposed orders were attached as an appendix to the officer's report with the areas affected.

Resolved:- (a) That the proposed controls be supported.

(b) That approval be given to the proposed public consultation process to be commenced in accordance with the Dog Control Orders (Procedures) Regulations 2006.

5. HACKNEY CARRIAGE LICENCE HOLDERS' SURVEY

Consideration was given to a further report advising the Committee of the outcome of consultations with the Council's Hackney Carriage Licence Holders in relation to a Hackney Carriage Unmet Demand Survey which would be required if the numbers of Hackney Carriage Licences were to continue to be restricted. The Council's current Hackney Carriage Unmet Demand survey was due to expire on December 2012.

The options available to the Council that had been sent out in the consultation letter were as follows:-

- Option 1 The Council commission an unmet demand survey and meet the full cost of the survey. (*There were 34 responses to this option.*)
- Option 2 The Council commission an unmet demand survey and meet half of the cost of the survey. The other half of the cost to be met by the Hackney Carriage Trade. (*There were no responses to option 2.*)
- Option 3 The Council commission an unmet demand survey and the full cost of that survey be met by the Hackney Carriage trade. (*There was 1 response to this option.*)
- Option 4 That no unmet demand survey be commissioned and by doing so the current restriction on the number of Hackney Carriage licences be removed. (*There were no responses to option 4.*)

Representatives of the Trade indicated a willingness to contribute towards the cost of a survey although the actual amount would first have to be discussed and agreed with all Hackney Carriage Drivers Licence holders and the Licensing Authority.

Having considered the report of 28 May 2012, the DFT guidance and the results of the consultation it was considered that a further Unmet Demand Survey could not be justified.

However, they also expressed the opinion that there was no justification to support option 4 thereby making more Hackney Carriage Drivers Licences available.

Resolved:- That no Unmet Demand Survey be commissioned, as detailed in Option 4 above, and the current restriction on the number of Hackney Carriage Licences be removed as at December 2012.

6. VEHICLE SIGNAGE AND CONDITIONS

Reference was made to the Committee's discussion on this matter at its meeting on 28 May 2012 and consideration given to a further report regarding the adequacy of the Council's current signage policy for private hire vehicles and recommending that changes be made.

The officers expressed the view that any condition relating to signage on Private Hire Vehicles should have been attached to the Private Hire Vehicle Licence and, if approved, the condition should be removed from the operator's licence.

For the guidance of Members, details of the amended condition (number 14) was set out in the officer's report for approval together with details of the options available to the Committee.

Resolved:- (a) That, subject to consultation with Private Hire Vehicle Licence Holders, condition 14 be removed from Private Hire Operators Licences and instead be attached to Private Hire Vehicle Licences in the following amended form:-

The holder of a Private Hire Vehicle licence shall ensure that door signs are displayed on their Private Hire vehicles, and that the signs comply with the following:-

The sign shall measure at least 590mm x 220mm and shall be adhesive in type and shall exhibit the following:-

- (i) The words “PRIVATE HIRE PRE BOOKED JOURNEYS ONLY” in lettering measuring at least 20mm and no more than 30mm.
- (ii) The name of the Operator under whose licence the vehicle is operated, and the first three figures if the telephone number of that Operator in lettering measuring at least 30mm and no more than 70mm high.
- (iii) The final four figures of the telephone number of that Operator in lettering measuring at least 70mm and no more than 110mm high.

(b) That a further report be submitted to a future meeting of this Committee.

7. EXCLUSION OF THE PUBLIC

Resolved:- That the public be excluded from the meeting during consideration of the following item because it is likely there will be disclosure of exempt information as defined in paragraphs 1, 2 and 7 in Part 1 of Schedule 12A of the Local Government Act 1972.

8. PRIVATE HIRE DRIVERS' LICENCES

- (i) Driver A

Driver A had applied for a Private Hire Driver's licence.

In this application, the applicants CRB disclosure and driving licence revealed 2 convictions for drink driving offences, the first one being in 2002 and the second in 2007.

Having regard to the Council's guidelines relating to the relevance of convictions, the Committee considered Driver A's suitability to hold a Private Hire Driver's Licence.

Resolved:- That the application for a Private Hire Driver's Licence submitted by Driver A be refused.

- (ii) Driver B

Driver B had applied for a Private Hire Driver's Licence.

The applicants CRB disclosure revealed that he had been convicted for failing to provide a specimen for analysis (being in charge of a motor vehicle) for which he was fined and disqualified from driving for 24 months.

Having regard to the Council's guidelines relating to the relevance of convictions, the Committee considered Driver B's suitability to hold a Private Hire Driver's Licence.

Resolved:- That the application for a Private Hire Driver's Licence submitted by Driver B be refused.

(iii) Driver C

The Committee considered a report outlining the outcome of prosecution instigated by the Council against Driver C and the details surrounding his currently suspended Private Hire Driver Licence which related to misconduct to a passenger and taking bookings from that passenger without an Operator's Licence and also previous convictions relating to violence and dishonesty.

Resolved:- That the suspended Private Hire Driver Licence relating to Driver C be revoked.

M OLSZEWSKI
Chair