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TRAFFORD COUNCIL

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE MEETING

Date: Thursday, 19 October 2017

Time: 6.30 pm

Place: Committee Rooms 2 & 3 Trafford Town Hall, Talbot Road, Stretford,
Manchester, M32 0TH

AGENDA	PART I	Pages
1. ATTENDANCES		
To note attendances, including Officers and any apologies for absence.		
2. MINUTES		
To receive and if so determined, to approve as a correct record the Minutes of the meeting held on 21 st September 2017.		
		1 - 2
3. APPLICATION FOR THE GRANT OF A STREET COLLECTION PERMIT		
To consider a report of the Head of Regulatory Services.		
		3 - 8
4. URGENT BUSINESS (IF ANY)		
Any other item or items (not likely to disclose "exempt information") which, by reason of special circumstances (to be specified), the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.		
5. EXCLUSION RESOLUTION (REMAINING ITEMS)		
Motion (Which may be amended as Members think fit):		
That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by		

The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

6. **HACKNEY DRIVER - CONSIDERATION OF FITNESS, PART II
FOLLOWING INVOLVEMENT IN FATAL ACCIDENT**

To consider a report of the Head of Regulatory Services. Para. 1 9 - 16

7. **URGENT BUSINESS (IF ANY)**

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors M. Cornes (Chairman), J. Holden (Vice-Chairman), Mrs. A. Bruer-Morris, D. Bunting, A. Duffield, M. Freeman, Mrs. D.L. Haddad, D. Jarman and E.W. Stennett

Further Information

For help, advice and information about this meeting please contact:

Natalie Owen, Democratic & Scrutiny Officer

Tel: 0161 912 4221

Email: natalie.owen@trafford.gov.uk

This agenda was issued on **Tuesday, 10 October 2017** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

PUBLIC PROTECTION SUB-COMMITTEE

21 SEPTEMBER 2017

PRESENT

Councillor M. Cornes (in the Chair).

Councillors J. Holden (Vice-Chairman), D. Bunting, A. Duffield, Mrs. D.L. Haddad, D. Jarman and E.W. Stennett

In attendance

G. Levy	- Regulatory Services Mgr (Trading Standards & Licensing)
D. Adcock	- Interim Senior Solicitor
N. Owen	- Democratic and Scrutiny Officer

APOLOGIES

Apologies for absence were received from Councillors Mrs. A. Bruer-Morris and M. Freeman

The Chairman welcomed Councillor Mrs. Bruer-Morris as a member of the Public Protection Sub-Committee with effect from 14th September 2017 as a replacement for former Councillor Smith.

14. MINUTES

RESOLVED: That the minutes of the Public Protection Sub-Committee meeting held on 24th August 2017 be approved as a correct record and signed by the Chairman.

15. EXCLUSION RESOLUTION (REMAINING ITEMS)

RESOLVED: That the public be excluded from this meeting during consideration of the following items on the agenda because of the likelihood of disclosure of "Exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as specified.

16. HACKNEY CARRIAGE DRIVER - OFFENCES OF SMOKING IN A SMOKE FREE PLACE (HEALTH ACT 2006)

The Head of Regulatory Services submitted a report requesting Members to consider a report regarding a driver who had been witnessed smoking within the confines of this Hackney Carriage vehicle on several occasions.

The driver attended the meeting to enable members to give the matter their full consideration.

The driver provided the Sub-Committee with an outline of what he said were the circumstances of the incidents.

**Public Protection Sub-Committee
21 September 2017**

Councillor Holden left the meeting before the decision was made regarding this item.

The Sub-Committee determined that his conduct fell below the standard which was expected of a fit and proper person to hold a Hackney Carriage driver's licence.

RESOLVED –

- 1) That Mr. A. H's Hackney Carriage driver's licence be suspended for 4 days.
- 2) That the period of suspension of Mr A H's Hackney Carriage Driver's Licence shall commence on the next Thursday following 21 days from the date of service of the suspension notice.

(Note: Councillor Bunting wished it to be recorded that he had voted against this resolution.)

17. HACKNEY DRIVER - CONSIDERATION OF FITNESS, FOLLOWING INVOLVEMENT IN FATAL ACCIDENT

Driver – Mr. H. S

RESOLVED: That this item be deferred to the next meeting of the Public Protection Sub-Committee to enable the driver to attend with legal representation.

The meeting commenced at 6.30 pm and finished at 8.00 pm

TRAFFORD BOROUGH COUNCIL

THE PUBLIC PROTECTION SUB-COMMITTEE – 19TH OCTOBER 2017

REPORT OF THE HEAD OF REGULATORY SERVICES

REPORT REF. NO.

APPLICATION FOR THE GRANT OF A STREET COLLECTION PERMIT

PURPOSE

To inform Members of an application for a street collection permit from Urmston Lions Community Bonfire Committee which falls outside the agreed Street Collection policy.

OPTIONS

Members are invited to consider the report and either:

- i. Grant a street collection permit; or
- ii. Refuse to grant a street collection permit.

Iain Veitch
Head of Regulatory Services

Further Information From:

Name: Joanne Boyle
Licensing Team Leader

Extension: 4129

Proper Officer for the purposes of L.G.A. 1972, s.100D
(background papers):

1. BACKGROUND

1.1 Trafford Council has a Street Collection Policy which states:

"The Council restricts collections to one collection per area on Saturday's only. In order to monitor collections we operate a diary system to record what collections have been approved and what dates are still available. In the first instance you should contact the Licensing Office to discuss booking a collection date and for guidance on the regulations. Once a date has been agreed you should complete the necessary application form.

Applications must be on the prescribed form and accompanied by:

- *particulars of any contracts with any charity which is to benefit from the collection*
- *bank account no. into which the collection will be paid and name of bank*
- *accounts for the last financial year (audited if possible) or link to website showing accounts*
- *literature about organisation(s) who will benefit or link to website*
- *written permission to collect on the charity's behalf*

After the collection has taken place you will be required to complete a returns form giving details of the total amount collected and the amount used for expenses. This form must be returned to us within one month of the collection."

1.2 Further, the Borough is split currently into 9 administrative areas:

Altrincham (including Timperley)
Hale
Bowdon
Sale
Stretford (including Old Trafford)
Urmston (including Flixton)
Warburton
Carrington
Partington

1.3 The current policy and procedures only allow one collection per area per charitable organisation per calendar year.

1.4 Licensing Officers do not have delegated authority to grant a permit where a permit has already been granted for a Saturday collection.

1.5 The Royal British Legion Poppy Appeal has already been granted a street collection permit, number SC064575, for the Urmston area for Saturday 4th November 2017 to collect between 09:00 and 17:00.

2. APPLICATION

2.1 The Licensing Section have received an application from Urmston Lions Community Bonfire Committee for the grant of a permit for a charitable street collection on Saturday 4th November, 2017 at the community bonfire at Abbotsfield Park in Flixton which comes under the Urmston area (as shown at 1.2 above).

- 2.2 The purpose of the charity is to raise money to benefit the local community.
- 2.3 It is proposed that the collection would take place between 17:30 and 20:30 on Chassen Road only.

3. KEY ISSUES

- 3.1 The policy (at 1.1 above) states that only one permit will be issued per area of the borough per calendar year per charitable organisation.
- 3.2 An application has been received requesting the grant of a second permit for the Urmston area in addition to the permit which has already been issued to the Royal British Legion Poppy Appeal.
- 3.3 The Royal British Legion Poppy Appeal are permitted to collect for two weeks throughout the borough during November.
- 3.4 The Poppy Appeal collection is permitted between 09:00 and 17:00 and the application from Urmston Lions proposes to collect between 17:30 and 20:30 on the 4th November 2017. Therefore, the charities would not be collecting at the same time.

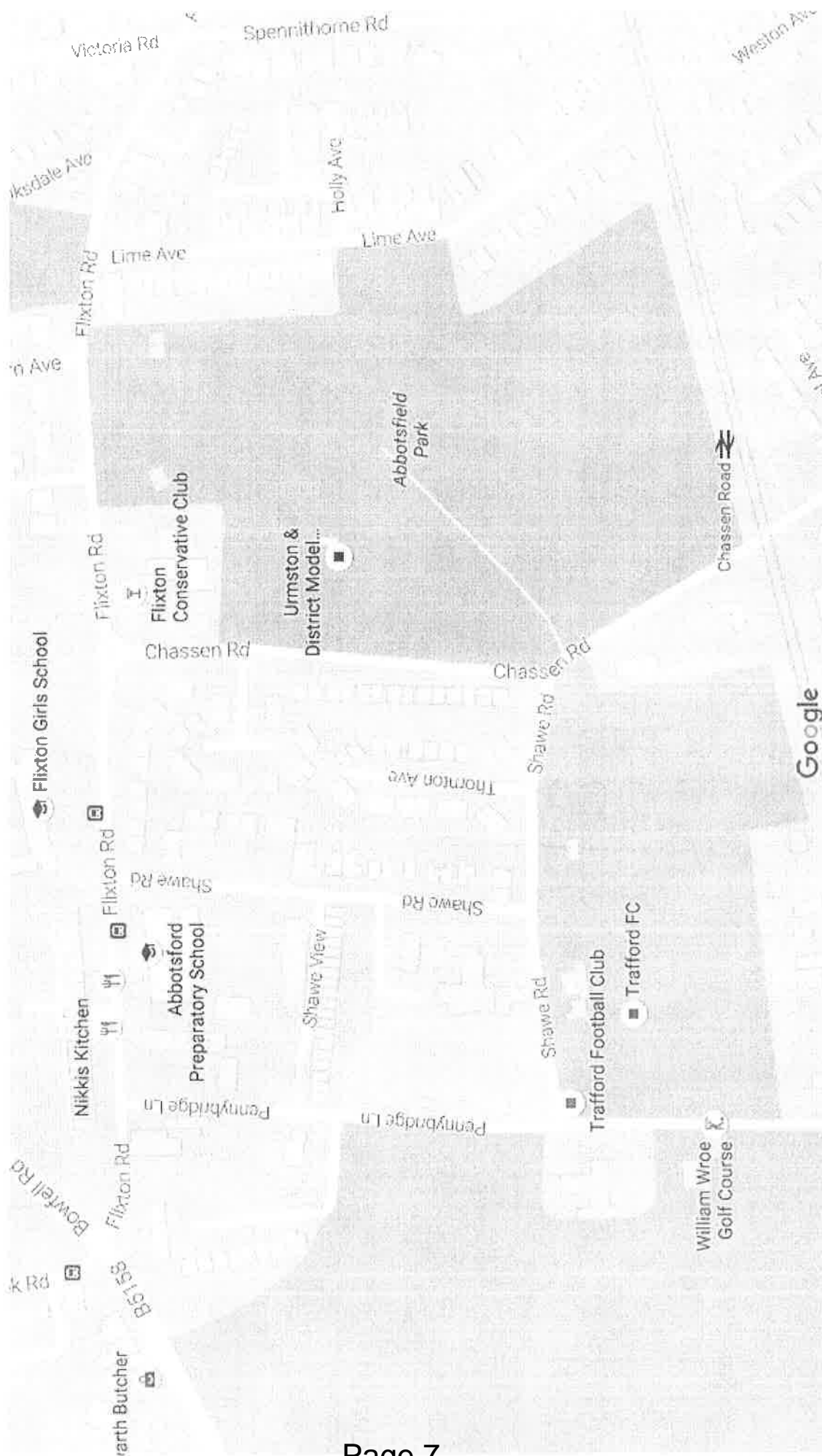
4. OPTIONS

- 4.1 Members are invited to consider the report and either:
 - iii. Grant a street collection permit; or
 - iv. Refuse to grant a street collection permit.

ATTACHED

Appendix 1 – Map of Abbotsfield Park

Google Maps



APPENDIX 1

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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