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TRAFFORD COUNCIL

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE MEETING

Date: Thursday, 19 November 2015

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 meetings held on 24 th September and 15 th October 2015.		
		1 - 6
3. 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.		
4. 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.		
5. USE OF A VEHICLE FOR PRIVATE HIRE WORK	PART II	

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WHILST THAT VEHICLE WAS SUSPENDED

To consider a report of the Head of Regulatory Services. Para. 1 7 - 32

6. **PRIVATE HIRE DRIVER - CONVICTIONS THAT EXCEED THE SCHEME OF DELEGATION**

To consider a report of the Head of Regulatory Services. Para. 1 33 - 36

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

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors M. Whetton (Chairman), B. Sharp (Vice-Chairman), S.K. Anstee, J. Coupe, A. Duffield, M. Freeman, D. Jarman, M. Sephton and J. Smith

Further Information

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

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This agenda was issued on **Tuesday, 10 November 2015** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

PUBLIC PROTECTION SUB-COMMITTEE

24 SEPTEMBER 2015

PRESENT

Councillor M. Whetton (in the Chair).

Councillors B. Sharp (Vice-Chairman), S.K. Anstee, J. Coupe, A. Duffield, M. Freeman, M. Sephton and J. Smith

In attendance

I. Veitch	- Head of Regulatory Services
J. Marriott	- Public Protection Manager
J. Boyle	- Licensing Team Leader
D. Goldstein	- Solicitor
N. Owen	- Democratic and Scrutiny Officer

Also Present

Councillor W. Stennett (Substitute for Councillor D. Jarman)

APOLOGIES

An apology for absence was received from Councillor D. Jarman

21. MINUTES

RESOLVED: That the minutes of the Public Protection Sub-Committee meetings held on 20th August and 27th August 2015 be agreed as a correct record and signed by the Chairman.

22. HACKNEY CARRIAGE UNMET DEMAND SURVEY 2015

The Head of Regulatory Services submitted a report requesting Members to consider the findings of a study conducted on behalf of the Council into the demand for hackney carriage services in Trafford.

Representations were made from Mr. I. McDonald from Vector Transport Consultancy. Mr. McDonald also responded to questions raised by members of the Sub-Committee.

RESOLVED -

- (1) That the report and options detailed in the report be noted.
- (2) That a further report be brought to a future meeting of the Sub-Committee.
- (3) That the plate numbers of the drivers who had acted inappropriately whilst the survey was carried out are sought from Vector Transport Consultancy and the incidents are investigated.

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24 September 2015**

23. PROPOSED CHANGES TO THE HACKNEY CARRIAGE/PRIVATE HIRE DRIVER APPLICATION REQUIREMENTS

The Head of Regulatory Services submitted a report outlining the outcome of a review of the current taxi driver application procedure following an increase in the number of potential applicants for a licence.

Recommendations were detailed in the report to change the current requirements in respect of English language skills; and local area knowledge and training, in order to reduce delays in the application process whilst maintaining driver standards.

A four week consultation had taken place with the trade on these proposals and the responses received were detailed in the report. Representations were received from the trade at the meeting.

RESOLVED –

- (1) That the range of acceptable qualifications to prove English language skills be extended as follows:

Any UK qualification – degree, A/O level, GCSE; or

A non-UK degree in English; or

ESOL qualification at Entry 2 from any accredited UK College

Qualification certificate to be produced on application for a hackney carriage/private hire driver's licence.

- (2) That the requirement for applicants to pass a local area knowledge test be removed and a condition that all drivers must carry a working satellite navigation system be introduced. All new drivers must comply with this requirement from the implementation of the new policy; and all existing drivers must comply after three years from that date.

- (3) That all applicants complete a driver induction course consisting of:

Licensing conditions and legislation framework

Customer Care

Wheelchair access and disability awareness

Child sexual exploitation awareness

24. AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AND FEES FOLLOWING THE DEREGULATION ACT 2015

The Head of Regulatory Services submitted a report informing Members of changes to legislation effecting hackney carriage and private hire licences; and proposing amendments to the fees for driver and operator licences to reflect that change.

The proposed fees were advertised in a local newspaper giving 28 days for objections to be made. A number of objections had been received including a petition and were available for consideration by members of the Sub-Committee.

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RESOLVED –

- (1) That from 1st October 2015 all private hire operator licences are issued for five years, unless the operator requests a one year licence.
- (2) That from 1st October 2015 all new and renewed hackney carriage and private hire driver's licences are issued for three years; except in certain circumstances, namely:
 - Where the renewal of the licence does not coincide with the DBS check as outlined in the report;
 - Where the applicant requests a one year licence;
 - Where an applicant's right to work visa is due to expire;
 - Where matters arise that the Sub-Committee or Licensing Manager believe make it appropriate, in the circumstances, to issue a licence for less than three years.

25. 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.

26. PRIVATE HIRE DRIVER - ALLEGATION OF SERIOUS MISCONDUCT

The Head of Regulatory Services submitted a report advising the Sub-Committee of the decision of the Chairman, Vice-Chairman and Opposition Spokesperson to suspend a private hire driver's licence with immediate effect following a charge for a serious offence; and advising of the outcome of the prosecution case.

The driver attended the meeting and answered questions raised by members of the Sub-Committee.

Members of the Sub-Committee considered the report, the submissions of the Private Hire driver and the police officer who attended the meeting.

RESOLVED: That the suspension of the Private Hire driver's licence be removed.

The meeting commenced at 6.30 pm and finished at 9.20 pm

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PUBLIC PROTECTION SUB-COMMITTEE

15 OCTOBER 2015

PRESENT

Councillor M. Whetton (in the Chair).

Councillors B. Sharp (Vice-Chairman), J. Coupe, A. Duffield, M. Freeman,
D. Jarman, M. Sephton and J. Smith

In attendance

D. Adcock	- Solicitor
S. Lenahan	- Solicitor
J. Boyle	- Licensing Team Leader
N. Owen	- Democratic and Scrutiny Officer

Also Present

Councillor D. Bunting (Substitute for Councillor S.K. Anstee)

Also in attendance for Minute No. 28

J. Stoddart - Enforcement Support Officer

APOLOGIES

An apology for absence was received from Councillor S.K. Anstee.

27. 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.

28. PRIVATE HIRE DRIVER - FAILURE TO PRESENT A VEHICLE FOR THE REQUIRED INSPECTION AND SUBSEQUENT USE OF THE VEHICLE WHILST IT IS NOT LICENSED

The Head of Regulatory Services submitted a report requesting Members to consider the failure to present a vehicle for the required inspection and subsequent use of the vehicle whilst it is not licensed by a Private Hire driver.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the incident.

The Sub-Committee considered how many jobs had been completed during the time that the vehicle was not licenced, that the vehicle passed the inspection when

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it was brought for inspection. The Sub-Committee acknowledged that he had co-operated with Enforcement Officers from the Council.

RESOLVED: That Mr S. J's Private Hire driver's licence and vehicle licence be suspended for one month.

29. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - CONVICTIONS THAT EXCEED THE SCHEME OF DELEGATION

The Head of Regulatory Services submitted a report requesting Members to consider an application for the grant of a Private Hire driver's licence.

The applicant attended the meeting to enable Members to give the matter their full consideration.

The applicant provided the Sub-Committee with a brief outline of what he said were the circumstances of the offences and gave the Sub-Committee letters of support to read.

The applicant also answered questions directed to him from Sub-Committee Members.

RESOLVED: That Mr. M. C. T's application for a Private Hire driver's licence be granted.

30. PRIVATE HIRE DRIVER - CONVICTIONS THAT EXCEED THE SCHEME OF DELEGATION

RESOLVED: That this item be deferred to the next meeting of the Public Protection Sub-Committee.

The meeting commenced at 6.30 pm and finished at 8.05 pm

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

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