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TRAFFORD
COUNCIL

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE

Date: Thursday, 18 August 2022

Time: 6.30 pm

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

A G E N D A	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 July 2022.		
3. URGENT BUSINESS (IF ANY)		1 - 4
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. NEW APPLICATION FOR A HACKNEY CARRIAGE	PART II	

AND PRIVATE HIRE DRIVER'S LICENCE

- | | | | |
|----|---|----------------|---------|
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 5 - 12 |
| 6. | APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE DRIVER'S LICENCE | Part II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 13 - 28 |
| 7. | URGENT BUSINESS (IF ANY) | PART II | Para. 1 |

SARA TODD

Chief Executive

Membership of the Committee

Councillors D. Jarman (Chair), S. Thomas (Vice-Chair), J.M. Axford, B. Brotherton, D. Butt, J. Holden, J.D. Newgrosh, S. Taylor and B.G. Winstanley.

Further Information

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

Natalie Owen, Governance Officer

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This agenda was issued on **Wednesday, 10 August 2022** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH.

PUBLIC PROTECTION SUB-COMMITTEE

21 JULY 2022

PRESENT

Councillor D. Jarman (in the Chair).

Councillors S. Thomas (Vice-Chair), J.M. Axford, B. Brotherton, D. Butt, J. Holden, J.D. Newgrosh, S. Taylor and B.G. Winstanley

In attendance

J. Parry	Locum Litigation Lawyer,
C. Whittle	Regulatory Services Mgr (Trading Standards and Licensing),
J. Boyle	Licensing Team Leader,
N. Owen	Governance Officer.

7. MINUTES

RESOLVED: That the minutes of the meeting held on 23rd June 2022 be approved as a correct record and signed by the Chair.

8. PRIVATE HIRE AND HACKNEY CARRIAGE LICENCE FEES AND CHARGES 2022/2023

The Head of Regulatory Services submitted a report requesting Members to consider the proposed Private Hire and Hackney Carriage licence Fees and charges for 2022/2023.

The Sub-Committee were informed that a 28 day public notice of the proposed fees must be advertised within which time any person may object to the variations where it is proposed to vary vehicle and operator fees so that they exceed £25.

Where no objections are received, or if all objections are withdrawn then the fees come into effect at the end of the 28 day period. Where objections are not withdrawn, the Council must consider the objections before determining the fee level and setting a further date, not later than two months after the first specified date, on which the new fees shall come into force.

The Sub-Committee were informed that a robust and detailed fees analysis using the Greater Manchester model for calculating fees has been carried out and costs have then been reviewed using a time analysis exercise carried out by the Licensing team in March/April and May/June 2022. This resulted in the proposed fees outlined in Appendix 1 of the report.

The Sub-Committee were informed that there has not been a fees increase since 2015 and it is apparent the current fees are not cost recovery and the current workload cannot be effectively discharged with the existing establishment of officers.

Public Protection Sub-Committee
21 July 2022

The proposed fees will ensure cost recovery and enable the Licensing service to deal quickly and effectively with existing licence holders, new applicants and complaints and referrals to the Committee.

The public notice will be published in the local newspaper and an email will be sent to all private hire operators and hackney carriage/private hire drivers and vehicle owners a week before the consultation starts. This email will outline the proposals in the report and explain the increases.

RESOLVED –

- (1) That the publication of the consultation notice for the increase in driver, vehicle and operator fees as set out in Appendix 2 and in accordance with the process set out in section 70 of the Local Government (Miscellaneous Provisions) Act 1976 in relation to vehicle and operator fees be agreed.
- (2) If no public objections are received within the consultation period, or are later withdrawn, then implementation of (on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever is the later), the fees as set out in Appendix 1 of the report be agreed.
- (3) That delegation to the Licensing Team Leader to record the date upon which the licence fees will come into operation in the event that no public objections are received or any objections are withdrawn be agreed, such date being dependent on resolution 2 above.

9. 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, 12A, as specified.

10. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE DRIVER'S LICENCE

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 gave his version of the offence and answered questions from members of the Sub-Committee.

The Sub-Committee considered the report and the evidence given at the meeting and concluded that the applicant was a fit and proper person to hold a Private Hire driver's licence.

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RESOLVED: That Mr. A. M's application for a Private Hire driver's licence be granted.

11. URGENT BUSINESS (IF ANY)

(Note: The Chair allowed consideration of the following item in order to allow members to consider the matter at the earliest opportunity.)

Trafford Private Hire Driver – No appeal lodged against revocation

The Head of Regulatory Services submitted a report requesting members to consider a Private Hire driver's licence which had been issued in June 2022.

The Private Hire driver had his licence revoked in November 2020 following a complaint and Mr. I.K.S subsequently informed the Council that he had lodged an appeal against this decision with Manchester Magistrates Court. Further enquiries in 2021 confirmed that no appeal had been lodged and this information was not recorded on his record so an automated licence renewal reminder was sent in May 2022 inviting him to renew his licence before it expired at the end of June, Mr. I.K.S submitted a renewal application in June and was duly granted a licence.

The Sub-Committee considered the report and concluded that he was not a fit and proper person to hold a Private Hire driver's licence.

RESOLVED: That the Private Hire driver's licence be revoked with immediate effect, in the interests of public safety.

The meeting commenced at 6.32 pm and finished at 7.47 pm

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