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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE

Date: Wednesday, 18 January 2023

Time: 6.30 pm

Place: Maria Margaret Netherwood Conference Rooms A & B, 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 meetings held on 20 th October 2022 and 8 th November 2022.		
		1 - 8
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. APPLICATION FOR THE GRANT OF A HACKNEY	PART II	

CARRIAGE PROPRIETOR'S (VEHICLE) LICENCE IN RESPECT OF A VEHICLE WHICH DOES NOT COMPLY WITH THE COUNCIL'S CURRENT AGE AND/OR EMISSION STANDARDS

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|----|--|----------------|---------|
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 9 - 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 - 18 |
| 7. | APPLICATION FOR THE GRANT OF A BOTH A NEW PRIVATE HIRE DRIVER'S AND A NEW HACKNEY CARRIAGE DRIVER'S LICENCE FOLLOWING THE EXPIRY OF THE PREVIOUS LICENCES | | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 19 - 28 |
| 8. | UPDATE REPORT FOLLOWING EMERGENCY DECISION BY THE CORPORATE DIRECTOR, FOR PLACE IN CONSULTATION WITH THE CHAIR, VICE CHAIR, OPPOSITION SPOKESPERSON AND THE EXECUTIVE MEMBER FOR HOUSING AND NEIGHBOURHOODS | PART II | |
| | To note a report of the Head of Regulatory Services. | Para. 1 | 29 - 30 |
| 9. | 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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Public Protection Sub-Committee - Wednesday, 18 January 2023

This agenda was issued on **Tuesday, 10 January 2023** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH.

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PUBLIC PROTECTION SUB-COMMITTEE

20 OCTOBER 2022

PRESENT

Councillor S. Thomas (in the Chair).

Councillors J.M.Axford, B. Brotherton, 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 & Licensing),
J. Boyle	Licensing Team Leader,
J. Pickup	Senior Licensing Officer,
N. Owen	Governance Officer.

APOLOGIES

An apology for absence was received from Councillor D. Jarman.

22. MINUTES

RESOLVED: That the minutes of the meeting held on 15th September 2022 be approved as a correct record and signed by the Chair.

23. EXCLUSION RESOLUTION (REMAINING ITEMS)

RESOLVED: That the public be excluded 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.

24. PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER - DVLA ISSUE MEDICAL REVIEW LICENCE FOLLOWING DECLARATION OF MEDICAL CONDITION

The Head of Regulatory Services submitted a report requesting members to consider whether a driver was still a fit and proper person to continue to hold a Private Hire and a Hackney Carriage driver's licence following the DVLA issuing a medical review licence to him.

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

The driver gave his version of the circumstances 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 further information was required to show he was fit to drive.

RESOLVED: That Mr. A. A's Private Hire and Hackney Carriage driver's licences be suspended immediately until Mr. A. A submits a satisfactory medical report to the Licensing section which confirms he is fit to drive.

25. A PRIVATE HIRE DRIVER'S AND HACKNEY CARRIAGE DRIVER'S LICENCE - NOTIFICATION OF DRIVING ENDORSEMENT WHICH EXCEEDS THE SCHEME OF DELEGATION AND FAILURE TO NOTIFY IN ACCORDANCE WITH CONDITIONS OF LICENCE

The Head of Regulatory Services submitted a report requesting members to consider a Private Hire and Hackney Carriage driver's licence where a traffic offence had occurred.

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

The driver gave his version of the circumstances 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 Mr. S S was still a fit and proper person to hold his licences.

RESOLVED: That penalty points be awarded to Mr. S. S for failure to notify Licensing of the driving offence in accordance with the conditions of his licence.

26. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE PROPRIETOR'S (VEHICLE) LICENCE IN RESPECT OF A VEHICLE WHICH DOES NOT COMPLY WITH THE COUNCIL'S CURRENT AGE AND EMISSION STANDARDS

The Head of Regulatory Services submitted a report requesting members to consider an application for the grant of a Hackney Carriage Proprietor's (Vehicle) Licence in respect of a vehicle which does not comply with the Council's current Age and Emission Standards.

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

The applicant explained why he felt the Sub-Committee should deviate from the Age and Emission Standards and grant a Hackney Carriage Proprietor's (Vehicle) Licence.

The Sub-Committee considered the report and the evidence given at the meeting and concluded that there was not enough information to deviate from the policy.

RESOLVED: That Mr D. C's application for a Hackney Carriage Proprietor's (Vehicle) Licence be refused.

27. TRAFFORD PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER - FITNESS TO HOLD BOTH PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER'S LICENCES

The Head of Regulatory Services submitted a report requesting members to consider whether a driver was still a fit and proper person to hold both a Hackney Carriage and Private Hire driver's licences following an investigation into his conduct under his Private Hire Operator's Licence.

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

The driver gave his version of the circumstances 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 he was no longer a fit and proper person to hold both a Private Hire and Hackney Carriage driver's licences.

RESOLVED: That Mr. M.B's Private Hire and Hackney Carriage driver's licences be revoked.

The meeting commenced at 6.30 pm and finished at 9.30 pm

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PUBLIC PROTECTION SUB-COMMITTEE

8 NOVEMBER 2022

PRESENT

Councillor D. Jarman (in the Chair).

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

In attendance

L. Grimshaw	Lawyer,
C. Whittle	Regulatory Services Mgr (Trading Standards & Licensing),
J. Boyle	Licensing Team Leader.

APOLOGIES

An apology for absence was received from Councillor D. Butt.

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

The Head of Regulatory Services submitted a report requesting members to consider the responses received following a consultation on the proposed Private Hire and Hackney Carriage Licence Fees and Charges 2022/2023 and whether to modify the fees or not taking into account those responses.

RESOLVED: That the original fees as detailed in the report be adopted from 1st December 2022.

29. EXCLUSION RESOLUTION (REMAINING ITEMS)

RESOLVED: That the public be excluded 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.

30. APPLICATION TO RENEW BOTH PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER'S LICENCES WHICH EXCEEDS THE SCHEME OF DELEGATION

The Head of Regulatory Services submitted a report requesting members to consider an application to renew both Private Hire and Hackney Carriage driver's licences where the driver had committed an offence which exceeded the scheme of delegation.

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

The driver gave his version of the circumstances 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 Mr. S. S was still a fit and proper person to hold both licences.

RESOLVED:-

(1) That Mr. S. S's Private Hire and Hackney Carriage driver's licences be renewed.

(2) That 75 penalty points be awarded to Mr. S. S and that those points would remain on his record for three years.

31. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE DRIVER'S LICENCE WHICH EXCEEDS 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 gave his version of the circumstances 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 not a fit and proper person to hold a Private Hire driver's licence.

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

32. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE WHICH EXCEEDS THE SCHEME OF DELEGATION

The Head of Regulatory Services submitted a report requesting members to consider an application for the grant of a Hackney Carriage driver's licence where the applicant had committed an offence.

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

The applicant gave his version of the circumstances 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 driver was not a fit and proper person to hold a Hackney Carriage driver's licence.

**Public Protection Sub-Committee
8 November 2022**

RESOLVED: That Mr. Y. M's application for a Hackney Carriage driver's licence be refused.

The meeting commenced at 6.30 pm and finished at 8.25 pm.

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