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TRAFFORD
COUNCIL

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE MEETING

Date: Thursday, 21 July 2016

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.	MEMBERSHIP OF PUBLIC PROTECTION SUB-COMMITTEE AND TERMS OF REFERENCE	
	To note the membership, including Chairman, Vice-Chairman and Opposition Spokesperson of the Public Protection Sub-Committee for the Municipal Year 2016/2017 and the terms of reference for the Public Protection Sub-Committee.	1 - 2
3.	MINUTES	
	To receive and if so determined, to approve as a correct record the Minutes of the meeting held on 24th March 2016.	3 - 6
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)	

Public Protection Sub-Committee - Thursday, 21 July 2016

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.

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| 6. | REFUSAL TO CARRY OUT A BOOKING ACCEPTED BY THE OPERATOR BECAUSE THE PASSENGER WAS ACCOMPANIED BY AN ASSISTANCE DOG | PART II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 7 - 10 |
| 7. | REFUSAL TO CARRY OUT A BOOKING ACCEPTED BY THE OPERATOR BECAUSE THE PASSENGER WAS ACCOMPANIED BY AN ASSISTANCE DOG | PART II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 11 - 14 |
| 8. | URGENT BUSINESS (IF ANY) | | |

THERESA GRANT
Chief Executive

Membership of the Committee

Councillors M. Whetton (Chairman), A. Mitchell (Vice-Chairman), S.K. Anstee, A. Duffield, M. Freeman, D. Jarman, M. Sephton, E.W. Stennett 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, 12 July 2016** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

TRAFFORD COUNCIL

MEMBERSHIP OF SUB-COMMITTEES 2016/17

SUB-COMMITTEE	NO. OF MEMBERS
PUBLIC PROTECTION	9
COUNCILLORS	
Stephen Anstee	Anne Duffield
Alan Mitchell V-CH	Mike Freeman OS
Matthew Sephton	David Jarman
John Smith	Whit Stennett
Mike Whetton CH	
TOTAL	5
	4

[5 Substitutes: Dan Bunting, Mrs, Denise Haddad, Mrs. June Reilly, Barry Brotherton, Philip Gratrix]

PUBLIC PROTECTION SUB-COMMITTEE

Terms of Reference

1. To exercise powers in relation to the following functions as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000:
 - (i) all licensing and registration functions except those relating to town and country planning, the regulation of the use of the highway and Safety at Sports Grounds.
 - (ii) functions under any 'relevant statutory provision' within the meaning of Part I of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer; and
 - (iii) associated functions under any local Act.
2. Membership of the Public Protection Sub-Committee shall comprise 9 Members (5:4:0) with up to 5 substitute Members being allowed (3:2:0). The substitute Members for the Public Protection Sub-Committee can only be nominated from the membership of the Licensing Committee.

Delegation

In exercising the power and duties assigned to them in their terms of reference, the Public Protection Sub-Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

PUBLIC PROTECTION SUB-COMMITTEE

24 MARCH 2016

PRESENT

Councillor M. Whetton (in the Chair).

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

In attendance

J. Boyle	- Licensing Team Leader
D. Goldstein	- Solicitor
N. Owen	- Democratic and Scrutiny Officer

50. MINUTES

RESOLVED: That the minutes of the Public Protection Sub-Committee meeting held on 18th February 2015 be agreed as a correct record and signed by the Chairman.

51. REQUEST TO WAIVE THE REQUIREMENT TO HOLD A SEX ESTABLISHMENT LICENCE - VICTORIA WAREHOUSE, TRAFFORD PARK ROAD, TRAFFORD PARK

The Head of Regulatory Services submitted a report requesting Members to consider an application to waive the requirement to hold a sex establishment licence for Victoria Warehouse, Trafford Park Road, Trafford Park.

The Licensing Team Leader provided a brief summary of the application received from Adam Geoffrey Management and following this a representation by Mr J Marriott, Consultant for Adam Geoffrey Management was made and any questions from the Sub-Committee were answered.

RESOLVED: That a waiver from the requirement to hold a sex establishment licence for the proposed event on 19th, 20th and 21st August 2016 be granted subject to an undertaking that Adam Geoffrey Management will comply with all the conditions and policy which would apply to the grant of a sex establishment licence.

52. ALLOCATION OF HACKNEY CARRIAGE VEHICLE LICENCE

The Head of Regulatory Services submitted a report requesting Members to consider and determine the most appropriate method for allocating a hackney carriage vehicle licence which has become available.

RESOLVED –

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- (1) That expressions of interest are invited by way of a public notice from persons wishing to apply for a new hackney carriage vehicle licence – see Appendix A attached to the report;
- (2) That all interested persons be required to complete a points based application form – see Appendix B attached to the report;
- (3) That Appendix B Section 7 be amended to Years followed by months.
- (4) That the licence be allocated to a person drawn from those applicants receiving the most points;
- (5) That the successful person be required to present a suitable vehicle within 60 days of the receipt of the decision letter; and
- (6) That the successful person be required to sign a declaration agreeing not to transfer the licence within the first three years.

53. URGENT BUSINESS (IF ANY)

Uber Taxis

Councillor Freeman informed the Sub-Committee that Reading Council had refused Uber a licence and queried why the Legal advice given at Trafford Council was different to that given at Reading Council.

The Licensing Team Leader was unaware of the refusal but agreed to try and ascertain why it had been refused.

54. 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.

55. HACKNEY CARRIAGE DRIVER - CONVICTION WHICH EXCEEDS THE SCHEME OF DELEGATION

The Head of Regulatory Services submitted a report requesting Members to consider a Hackney Carriage driver’s conviction which exceeds the scheme of delegation.

The driver attended the meeting to enable Members to give the matter their full consideration and provided the Sub-Committee with an outline of what he said were the circumstances of the offence.

The Sub-Committee received legal advice to confirm that as his offence was a minor traffic offence and he had not got 12 points on his licence, his licence should be renewed.

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RESOLVED: That Mr. S. A's Hackney Carriage driver's licence be renewed.

56. URGENT BUSINESS (IF ANY)

Private Hire Driver – Information disclosed by the Chief Police Officer

The Head of Regulatory Services submitted a report advising Members of information received from the Chief Police Officer regarding a charge against a Private Hire driver.

RESOLVED –

- (1) That his Private Hire driver's licence be revoked under section 61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976 (revocation takes effect immediately in the interests of public safety).
- (2) That if he is found innocent at court and applies for his licence again, his application comes back to the Sub-Committee as an urgent item.

The meeting commenced at 6.00 pm and finished at 8.35 pm

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

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