

PUBLIC PROTECTION SUB-COMMITTEE

11 APRIL 2023

PRESENT

Councillor D. Jarman (in the Chair).

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

In attendance

Jade Pickup	Senior Licensing Officer
James Parry	Locum Litigation Lawyer
Daniel Noels	Legal Assistant
Margaret Ozturk	Tenancy Support Officer
Alexander Murray	Governance Officer

APOLOGIES

Apologies for absence were received from Councillors S. Taylor

50. MINUTES

RESOLVED: That the minutes of the meeting held 16 February 2023 be agreed as an accurate record and signed by the Chair.

51. PRIVATE HIRE WHEELCHAIR ACCESSIBLE VEHICLES - EXTENSION TO TEMPORARY EXEMPTION FROM CURRENT AGE POLICY

The Senior Licensing Officer gave a brief overview of the report. The Sub-committee were informed that the regulations required that the vehicle be less than 5 years old when first licensed and would not be relicensed if over 10 years of age. On the 20th of January 2022 the Sub-committee had approved a proposal to temporarily waive the exceptional condition (age) test for existing private hire wheelchair adapted vehicles which provide transport for children and vulnerable adults with SEND. The exemption was to be effective until the first licence renewal date falling after the 1st of April 2023.

The Sub-committee were informed that the Trafford Travel Co-ordination Unit (TTCU) continued to have concerns about the impact of MLS on the delivery of the Council's duty to provide transport for children and vulnerable adults with Special Educational Needs and Disabilities (SEND). To address this concern, it was recommended that the Sub-committee extended the allowance of the waiver on age as long as the vehicles met all of the other conditions and to delegate authority to the Corporate Director of Place to approve further extensions to the waiver.

Following the overview, the Chair moved the recommendations of the report, and they were agreed.

Public Protection Sub-Committee
11 April 2023

RESOLVED:

- 1) That the report be noted.
- 2) That the proposal to extend the temporary waiver of the exceptional condition (age) test for existing private hire wheelchair adapted vehicles which provide transport for children and vulnerable adults with SEND, to the 1st April 2025 be approved.
- 3) That the delegation of authority to the Corporate Director, Place in consultation with the Executive Member for Housing and Neighbourhoods, to approve a further extension to the temporary waiver of the exceptional condition (age) test in respect of vehicles detailed in paragraph 2 of the report; in line with any future changes to the implementation date for the hackney carriage and private hire age and emissions standards for existing Trafford licensed vehicles be approved.

52. 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.

53. PRIVATE HIRE OPERATOR - FAILURE TO KEEP RECORDS IN ACCORDANCE WITH THE CONDITIONS OF LICENCE; AND ALLEGED OBSTRUCTION OF AN AUTHORISED OFFICER

The Senior Licensing Officer submitted a report to the Sub-Committee requesting members to consider a Private Hire driver’s license where the driver failed to keep records in accordance with the conditions of licence and had allegedly obstructed an authorised officer carrying out their duties. The driver attended the meeting to provide their version of events and enable members to consider the matter fully.

The driver gave his version of the circumstances and answered questions from members of the Sub-Committee. The driver informed Members that he had never had any issues with his record keeping previously and that the issues in arranging a time when an officer could inspect his records was due to a personal matter, which he explained at the meeting and in documents submitted to the Sub-committee.

The Sub-Committee considered the report and the evidence provided and concluded that the decision regarding the driver’s license would be deferred to the next meeting of the Sub-Committee. The driver was advised to utilise that time to ensure his records were in order and to provide access to Council officers to inspect his records.

RESOLVED: That a decision on Mr GM’s private hire license be deferred to the next meeting of the Sub-committee.

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

Mr SB was accompanied by his employer at the meeting. The Senior Licensing Officer submitted a report to the Sub-Committee requesting members to consider a Private Hire driver's license application. Following an overview of the report, the Committee asked questions for clarification of the Licensing Officer, the driver, and his employer relating to the details of the application.

The Committee considered the evidence and responses received at the meeting and concluded that they would grant the driver's private hire license for a period of 12 months, at which point the driver would need to renew.

RESOLVED: That Mr SB's private hire license be granted for 12 months.

55. A PRIVATE HIRE DRIVER'S LICENCE - ACCUMULATION OF 150 PENALTY POINTS FOR FAILURE TO NOTIFY OF A OFFENCE

Mr AF was accompanied at the meeting by a representative from GMB. The Senior Licensing Officer Submitted a report to the Sub-Committee to consider a private hire driver's licence following the accumulation of 150 penalty points. Following the overview of the report the driver gave his account of the incidents and the representative of GMB provided additional information in support of Mr AF.

The Committee considered the evidence provided and representations made at the meeting and concluded that Mr AF would keep his license, but the 150 points would remain.

RESOLVED: That no further action be taken and the 150 points remain on Mr AF's license.

The meeting commenced at 6.30 p.m. and finished at 9.27 p.m.