

PUBLIC PROTECTION SUB-COMMITTEE

20 JULY 2017

PRESENT

Councillor M. Cornes (in the Chair).

Councillors D. Bunting, A. Duffield, M. Freeman, Mrs. D.L. Haddad, D. Jarman, J. Smith and E.W. Stennett

In attendance

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

Also in attendance for Minute No. 9

G. Levy	- Regulatory Services Mgr (Trading Standards & Licensing)
J. Stoddart	- Enforcement Support Officer

Also in attendance for Minute No. 10

G. Levy	- Regulatory Services Mgr (Trading Standards & Licensing)
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APOLOGIES

An apology for absence was received from Councillor J. Holden

5. MINUTES

RESOLVED: That the minutes of the Public Protection Sub-Committee meetings held on 18th May 2017 and 22nd June 2017 be approved as a correct record and signed by the Chairman.

6. 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.

7. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - CONVICTION(S) WHICH 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.

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

The applicant provided the Sub-Committee with an outline of what he said were the circumstances of the offence and answered questions from Sub-Committee Members.

The Sub-Committee concluded that he was not a fit and proper person to hold a Private Hire Driver's Licence as his conviction was approximately forty-one months ago and was a serious offence of dishonesty. The Council's policy in respect of convictions involving dishonesty is that applicants with convictions less than five years old are unlikely to be considered a fit and proper person to hold a private hire driver's licence in Trafford. The Sub-Committee considered the information provided at the meeting but, there were still a number of factors of dishonesty linked to his conviction which caused them concern. After considering all of the circumstances, the Sub-Committee did not feel it appropriate to depart from the Council's policy.

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

8. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - CONVICTION(S) WHICH 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 an outline of what he said were the circumstances of the offence and answered questions from Sub-Committee Members.

The Sub-Committee concluded that he was not a fit and proper person to hold a Private Hire Driver's Licence as his last convictions were approximately thirty-six months ago and involved a serious offence of dishonesty. The Sub-Committee also consider offences of no insurance extremely serious, as with any offences that potentially put members of the public at risk; this would include any unsafe vehicles used for the transportation of members of the public. The Sub-Committee also considered his last conviction which was approximately seven years ago and involved a serious offence of dishonesty. The Council's policy in respect of convictions involving dishonesty is that applicants with convictions less than five years old are unlikely to be considered a fit and proper person to hold a private hire driver's licence in Trafford. The Sub-Committee considered the information provided at the meeting but, there were still a number of factors of dishonesty linked to his convictions, the frequency of his convictions and the seriousness of the offences which caused them concern. After considering all of the circumstances, the Sub-Committee did not feel it appropriate to depart from the Council's policy.

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

9. USE OF A VEHICLE FOR PRIVATE HIRE WORK IN BREACH OF COMPLIANCE REQUIREMENTS

The Head of Regulatory Services submitted a report requesting Members to consider a Private Hire driver who had used a vehicle for private hire work in breach of compliance requirements.

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

The driver gave his version of the incident and also answered questions from the Sub-Committee.

The Sub-Committee considered the breaches and noted that they occurred between 23rd March 2017 and 28th March 2017. They also noted that you have since admitted to committing the breaches as detailed in the report.

The Sub-Committee considered the seriousness of the breaches and also, the risks caused by those breaches to members of the public.

Resolved: That Mr. M. K's Private Hire driver's licence be suspended for one month.

10. ACCUMULATION BY A PRIVATE HIRE DRIVER OF 170 PENALTY POINTS ISSUED DURING 2017

The Head of Regulatory Services submitted a report requesting Members to consider the accumulation by a Private Hire driver of 170 penalty points issued during 2017 under the Council's current Private Hire Driver and Vehicle Conditions.

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

The driver provided the Sub-Committee with an outline of what he said were the circumstances of the breaches.

The Sub-Committee considered the breaches which led to the accumulation of penalty points and the driver's explanation as to how the breaches occurred.

Resolved: That no further action be taken against Mr. C. U.

The meeting commenced at 6.35 pm and finished at 9.10 pm