

## **PUBLIC PROTECTION SUB-COMMITTEE**

**15 MAY 2014**

### **PRESENT**

Councillor C. Candish (in the Chair).

Councillors B. Sharp (Vice-Chairman), D. Bunting, M. Freeman, D. Jarman, P. Myers, J. Smith, N. Taylor and Mrs. J. Wilkinson

#### In attendance

M. Jones	- Interim Head of Legal Services
J. Boyle	- Licensing Team Leader
N. Owen	- Democratic Services Officer

#### Also in attendance for Minute No. 38

G. Levy	- Public Protection Manager (Trading Standards)
D. Grey	- Enforcement Support Officer

### **35. MINUTES**

RESOLVED: That the minutes of the Public Protection Sub-Committee meeting held on 20<sup>th</sup> February 2014 be agreed as a correct record and signed by the Chairman.

### **36. 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 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.

### **37. PRIVATE HIRE DRIVER - CONVICTIONS THAT EXCEED THE SCHEME OF DELEGATION**

The Head of Public Protection submitted a report requesting Members to consider a Private Hire driver's convictions. The driver attended the meeting to enable Members to give the matter their full consideration.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the offences.

RESOLVED: -

(1) That Mr. J. W's Private Hire driver's licence be renewed.

**Public Protection Sub-Committee**  
**15 May 2014**

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- (2) That 75 penalty points be issued to Mr. J. W under the Council's Penalty Point Scheme for his failure to disclose a conviction.

**38. PRIVATE HIRE DRIVER'S LICENCE - REFUSAL TO CARRY AN ASSISTANCE ANIMAL**

The Head of Public Protection submitted a report requesting Members to consider a complaint against a Private Hire driver.

The driver provided Members with a brief outline of the circumstances of the incident which had caused the complaint and the complainant also provided Members with a brief outline of the circumstances of the incident from their view.

The Sub-Committee determined that the driver had accepted a caution of refusing to carry out a booking for a private hire vehicle due to the fact that the customer was accompanied by an assistance dog. Nevertheless his explanation to the Sub-Committee was that he had not refused to carry the customer.

The Sub-Committee felt that his evidence about having an allergy to animals was not credible as the driver had not declared this to his private hire operator or when applying for a private hire driver's licence. The driver had still not applied for an exemption under section 171 of the Equality Act 2010 at the date of the meeting.

The Sub-Committee felt that his explanation of events and that of the complainant differed in material respects and the Sub-Committee found the complainant to be a more credible and consistent witness.

The Sub-Committee was particularly concerned that the driver appeared unwilling to face up to the consequences of his actions in abandoning a vulnerable customer by the side of the road and was concerned for the safety of the public.

RESOLVED: That Mr. Z's Private Hire driver's licence be revoked.

The meeting commenced at 6.40 pm and finished at 9.20 pm