

## **PUBLIC PROTECTION SUB-COMMITTEE**

**25 SEPTEMBER 2014**

### **PRESENT**

Councillor Cllr C. Candish (in the Chair).

Councillors Cllr B. Sharp (Vice-Chairman), Cllr D. Bunting, Cllr A. Duffield, Cllr M. Freeman, Cllr D. Jarman, Cllr P. Lally, Cllr M. Sephton and Cllr J. Smith

#### In attendance

M. Jones	- Interim Head of Legal Services
S. Bate	- Senior Licensing Officer
N. Owen	- Democratic Services Officer

#### Also in attendance for Minute No. 12

G. Levy	- Public Protection Manager (Trading Standards)
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### **10. MINUTES**

RESOLVED: That the minutes of the Public Protection Sub-Committee meeting held on 21<sup>st</sup> August be agreed as a correct record and signed by the Chairman.

### **11. 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

### **12. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE**

The Head of Public Protection 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 Members with a brief outline of the circumstances of the offence that took place in 2010.

The Sub-Committee determined that the conviction was relevant to the application.

RESOLVED: That Mr. T. G's application for a Private Hire driver's licence be granted.

**13. PRIVATE HIRE DRIVER'S LICENCE - ALLEGED INAPPROPRIATE CONDUCT**

The Head of Public Protection submitted a report requesting Members to consider alleged inappropriate conduct by a Private Hire driver.

The driver answered questions regarding the complaints from Members of the Sub-Committee.

The Sub-Committee determined that the driver accepted and apologies for what he had done, which was recorded in the statements from the complainants.

It noted that he had only held a driver's licence for a period of approximately 6 months. During that time he had generated 11 recorded complaints, including 2 complaints to the police, from young female customers of pestering them by making or attempting to make unwanted approaches to them by text or phone calls. It is likely that he obtained their numbers in the course of his job as a private hire driver. This was despite the police involvement and despite the fact that he had received 2 warnings about his conduct from his employers and one from his father who is also a private hire driver at the same firm.

The Sub-Committee considered the driver's assurances that this would never happen again and noted the steps taken by his firm to restrict him from working on Friday and Saturday nights and from taking passengers who were known to be young lone females.

However, the Sub-Committee was not reassured by those assurances that his behaviour would not be repeated given the persistent nature of his conduct. They noted that the restrictions placed on him by his current employers would not necessarily be replicated if he moved to another firm and, in any event, did not provide sufficient protection to young lone female passengers since it is not possible for the operator to know all the details of passengers when they make a booking. The Sub-Committee concluded that the fact that such arrangements were considered necessary was a strong indication of the driver's unfitness for the role of private hire driver.

It was the unanimous decision of the Sub-Committee that the driver was not a fit and proper person to hold a private hire driver's licence and that his licence should be revoked with immediate effect in the interests of public safety. The Sub-Committee did not consider that the measures taken by his employers to date were sufficient to protect young lone female passengers from contact with him while any appeal process was being dealt with.

**RESOLVED:** That Mr. B. H's Private Hire driver's licence be revoked with immediate effect.

The meeting commenced at 7.05 pm and finished at 8.38 pm