



Agenda

Public Protection Committee

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| Date: | Wednesday, 30 January 2019 at 2pm |
| Venue: | Town Hall, St Annes, FY8 1LW |
| Committee members: | <p>Councillor Angela Jacques (Chairman)</p> <p>Councillor Frank Andrews (Vice-Chairman)</p> <p>Councillors Jan Barker, Brenda Blackshaw, Alan Clayton, Gail Goodman JP, Shirley Green, Peter Hardy, Neil Harvey, Paul Hodgson, Sally Nash.</p> |

| | PROCEDURAL ITEMS: | PAGE |
|---|--|-------|
| 1 | <p>Declarations of Interest:</p> <p>Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.</p> | 1 |
| 2 | <p>Confirmation of Minutes:</p> <p>To confirm the minutes, as previously circulated, of the meeting held on 21 November 2018 as a correct record.</p> | 1 |
| 3 | <p>Substitute Members:</p> <p>Details of any substitute members notified in accordance with council procedure rule 22(c).</p> | 1 |
| | DECISION ITEMS: | |
| 4 | Application for the Grant of a Hackney Carriage/Private Hire Drivers Licence - SM | 3 - 4 |

Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|--|-----------------------------|-----------------|---------|
| RESOURCES DIRECTORATE | PUBLIC PROTECTION COMMITTEE | 30 JANUARY 2019 | 4 |
| APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SM | | | |

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Following an application made to the Licensing Team for the grant of a Hackney Carriage and Private Hire Driver's Licence, the Committee is requested to consider the application and determine if they consider the applicant fit and proper to hold such a licence.

RECOMMENDATION

That the Committee consider the report and determine the application.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

CORPORATE PRIORITIES

| | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | ✓ |
| Delivering the services that customers expect of an excellent council (Clean and Green) | ✓ |
| Working with all partners (Vibrant Economy) | ✓ |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | ✓ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | ✓ |

REPORT

1. An application has been received from SM for the grant of a Hackney Carriage and Private Hire Driver's Licence.
2. In accordance with the standard procedure for all applications, the applicant was requested to submit a Disclosure obtained through the Disclosure and Barring Service and undergo a medical examination.
3. The Disclosure has revealed convictions from 2013 and 2016, further information relating to which will be provided to members at the meeting.
4. The convictions were declared by the applicant upon the application form.

5. Section 59 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states that, “a district council shall not grant a licence to drive a hackney carriage ... unless they are satisfied that the applicant is a fit and proper person to hold a driver’s licence.”
6. Section 51 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states that, “a district council shall not grant a licence to drive a private hire vehicle unless they are satisfied that the applicant is a fit and proper person to hold a driver’s licence.”
7. Appendix A of the [Council’s Statement of Taxi and Private Hire Licensing Policy](#), concerning the Relevance of Convictions to Applications is accessible for information and use by the members.
8. The applicant has been invited to attend the hearing and the Committee is therefore asked to determine the application.

| IMPLICATIONS | |
|---|---|
| Finance | No implications arising directly from the report. |
| Legal | The Committee should have regard to the requirements of fairness and proportionality and to the European Convention on Human Rights in reaching its decision. However, the purpose of the system of driver licensing is to protect the public. If the committee considers that it should refuse the application in order to protect the public, it should not concern itself with the effect on the applicant. Where the council has adopted a policy which applies to a particular matter, it must take the policy into account when making its decision. Although it is not bound to follow the policy, any decision that is contrary to it should be supported and explained by clear and adequate reasons for departing from the policy. |
| Community Safety | No implications arising directly from the report. |
| Human Rights and Equalities | No implications arising directly from the report. |
| Sustainability and Environmental Impact | No implications arising directly from the report. |
| Health & Safety and Risk Management | No implications arising directly from the report. |

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|-------------|--|------------------------------|
| Andy Hough | andy.hough@fylde.gov.uk Tel 01253 658606 | 7 th January 2019 |

| BACKGROUND PAPERS | | |
|--|---------------|---|
| Name of document | Date | Where available for inspection |
| Hackney Carriage and Private Hire Licensing Policy | November 2017 | http://www.fylde.gov.uk/assets/files/11/Hackney-Carriage-and-Private-Hire-Licensing-Policy.pdf |