

# MINUTES

## Public Protection Committee

<b>Date:</b>	Wednesday, 30 January 2019
<b>Venue:</b>	Town Hall, St Annes.
<b>Committee Members Present:</b>	Councillor Angela Jacques (Chairman) Councillor Frank Andrews (Vice-Chairman)  Councillors Alan Clayton, Sue Fazackerley MBE, Gail Goodman JP, Neil Harvey, Paul Hodgson.
<b>Other Councillors Present:</b>	None
<b>Officers Present:</b>	Ian Curtis, Chris Hambly, Andy Hough, Sharon Wadsworth, Tara Walsh
<b>Other Attendees:</b>	SM and AC

### 1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. There were no declarations of interest on this occasion.

### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Public Protection Committee meeting held on 21 November 2018 as a correct record for signature by the Chairman.

### 3. Substitute Members

The following substitutions were reported under Council procedure rule 22(c):

Councillor Sue Fazackerley MBE for Councillor Sally Nash.

### Decision Items

#### 4. Application for the Grant of a Hackney Carriage/Private Hire Drivers Licence - SM

Mr. Hambly, Environmental Services Manager, introduced a report detailing an application received from SM, for the grant of a Hackney Carriage/Private Hire Driver's Licence, for the Committee to consider and determine if they considered the applicant fit and proper to hold such a licence.

The Disclosure had revealed convictions from 2013 and 2016 for obtaining benefits by false statement and fraud by abuse of position.

The council's Hackney Carriage and Private Hire Licensing Policy indicated that, in general, where an applicant has convictions for dishonesty a minimum period of three years free from conviction should be required

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before granting a licence. SM was invited to address the committee to explain why the policy should not be applied in this case. Following questions from the committee the members adjourned to enable a full and frank discussion to be held.

The committee resumed following a full discussion of the matter and based on questions answered by SM, the character reference that was supplied from his current employer it was RESOLVED to deviate from the current policy and to grant a Hackney Carriage/Private Hire Driver's Licence to SM.

5. Hackney Carriage and Private Hire Driver - AC

By reason of special circumstances, as detailed on the report, the chairman was of the opinion that this item should be considered as a matter of urgency.

Mr. Hambly, Environmental Services Manager, presented a report in relation to the conduct of an existing Hackney Carriage and Private Hire Driver, AC.

Mr. Hambly explained that Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 allows the licensing authority to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of the Act; or any other reasonable cause. Mr. Hambly went on to provide details of a complaint that had been received regarding the conduct of AC.

The committee went on to invite AC to address members and to respond to questions and following this, the meeting was adjourned to enable a full and frank discussion to be held.

The committee discussed the matter in detail, taking into account the current Hackney Carriage and Private Hire Licensing Policy, the circumstances surrounding the occurrence and the previous unblemished record of AWC and RESOLVED:

- (1) to issue a warning letter to AC; and
- (2) That, before being issued with a further full term licence, AC must appear back before the committee rather than such a licence being issued by officers under delegated powers.

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