



MINUTES

Public Protection Committee

Date:	Wednesday, 19 July 2017
Venue:	Town Hall, St Annes.
Committee Members Present:	Councillor Angela Jacques (Chairman) Councillor Barbara Nash (Vice-Chairman) Councillors Jan Barker, Keith Beckett ISO, Brenda Blackshaw, Alan Clayton, Gail Goodman JP, Shirley Green, Peter Hardy, Neil Harvey.
Other Councillors Present:	None
Officers Present:	Ian Curtis, Chris Hambly, Michael Duck, Sharon Wadsworth, Joanne Gallagher, Tara Walsh
Other Attendees:	Mr D Whiteside, Mr G Bridge, DAE and one member of the public were in attendance during the course of the meeting.

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 15 February 2017 as a correct record for signature by the Chairman.

3. Substitute Members

There were no substitute members in attendance at the meeting.

Decision Items

4. Caravan Licensing –Review of Mobile Home Fee Policy

Michael Duck (Senior Environmental Health Officer) introduced a report that outlined proposed administrative changes to the Mobile Home Fee Policy. No amendment to the fees charged were proposed.

It was RESOLVED to approve the amendments to the Mobile Home Fee Policy as outlined within the report.

5. Revised Hackney Carriage and Private Hire Licensing Policy

Chris Hambly (Environmental Services Manager) presented a report introducing a draft replacement of the current Hackney Carriage and Private Hire Licensing Policy, which was introduced in 2006, following a consultation exercise that was undertaken between 28th November 2016 and 17th February 2017. The proposed replacement Policy reflected responses to the consultation, current concerns and best practices.

Mr Daniel Whiteside (taxi operator proprietor) and Mr Giles Bridge (Licensing Consultant and Barrister) were invited by the chairman to address the committee to expand on a suggestion that they had made as part of the consultation.

Mr Bridge addressed the committee on the merits of increasing the maximum age at first registration for hackneys, specifically in relation to wheelchair accessible vehicles, to six years instead of four years as proposed in the draft policy. It was suggested that this would significantly reduce the initial cost of purchasing a suitable vehicle and thereby encourage additional wheelchair accessible vehicles to be registered.

Following questions from the committee it was RESOLVED to recommend the revised Hackney Carriage and Private Hire Licensing Policy for approval by full Council subject to amending the maximum age at first registration for wheelchair accessible hackney carriages to six years.

The Chairman expressed her thanks to Mr Hambly and the licensing team for the consultation and to Mr Whiteside and Mr Bridge for their contributions.

6. Equality Act

Chris Hambly (Environmental Services Manager) presented a report informing members of the implementation of Sections 165 and 167 of the Equality Act 2010 that came into force on 6th April 2017. Section 165 placed duties on the driver of a taxi or private hire vehicle, making it an offence not to offer reasonable assistance, to charge extra for providing any assistance, or to refuse a fare from a disabled passenger altogether. Section 167 granted Licensing Authorities the power to maintain a list of designated licensed vehicles which were wheelchair accessible.

Mr Hambly highlighted that it was not a requirement for any Licensing Authority to maintain a list under S.167 of The Act, however, if the Authority decided not to maintain such a list, S.165 did not have effect. Mr Hambly also informed members that although Section 166, exemption from duties to assist passengers in wheelchairs on medical or physical grounds, was already in force it was recommended that a policy was developed to govern the application process. It was confirmed that to date no drivers had applied for an exemption under S.166.

It was RESOLVED to:-

1. Recommend the preparation of a List of Designated Vehicles in accordance with S.167 of The Equality Act 2010 and
2. Authorise the development of a policy governing the application process for exemption certificates, to be presented for approval at the Public Protection meeting to be held on 25th October 2017.

7. Application for the Grant of a Hackney Carriage/Private Hire Drivers Licence - DAE

Mr Hambly presented an application, received from DAE 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 cautions from 2011 and 2015 that had not been declared on the application form. The council's Hackney Carriage and Private Hire Licensing Policy indicated that DAE ought not to be considered for a license until at least five years has lapsed from the last conviction. DAE was invited to address the committee to explain the nature of the cautions and why the policy should not be applied in his case. Following questions from the committee the members adjourned to enable a full and frank discussion to be held.

The committee resumed following discussion of the matter in detail and RESOLVED not to deviate from the current policy and to refuse the grant of a Hackney Carriage/Private Hire Driver's Licence to DAE.

Information Items

The following information items were received by the committee.

8. Disclosure and Barring Service

The information note provided the latest position following a request from an existing operator to consider the introduction of on-line disclosure checks. Following discussion it was deemed that no significant benefit could be gained by outsourcing the Disclosure Checks.

The committee unanimously RESOLVED not to outsource the process of Disclosure Checks.

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