



Oversight and Governance

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TAXI LICENSING COMMITTEE

Tuesday 12 December 2023
10.00 am
Council House

Members:

Councillor Tippetts, Chair
Councillor Tuffin, Vice Chair
Councillors Dr Cree, Finn, Moore, Rennie and Tofan.

Members are invited to attend the above meeting to consider the items of business overleaf.

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Tracey Lee
Chief Executive

Taxi Licensing Committee

AGENDA

1. Apologies

To receive apologies for non-attendance submitted by Committee Members.

2. Declarations of Interest

Members will be asked to make any declarations of interest in respect of items on this agenda.

3. Minutes

(Pages 1 - 6)

To confirm the minutes of the meetings held on 5 October 2023 and 20 October 2023.

4. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. Appeal Cases

The Committee will be provided with the results of the judgement on appeal cases that went to Court.

6. Number of Certificates of Good Conduct Exemptions Granted

The Committee will be provided with the Number of Certificates of Good Conduct Exemptions Granted.

7. Exempt Information

To consider passing a resolution under Section 100A(4) of the Local Government Act, 1972 to exclude the press and the public from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information, as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

Part II (Private Meeting)

Agenda

Members of the Public to Note:

That under the law, the Committee is entitled to consider certain items in private. Member of the public will be asked to leave the meeting when such items are discussed.

8. Confidential Minutes (Pages 7 - 14)

To confirm the confidential minutes of the meetings held on 5 October 2023 and 20 October 2023.

9. Application for the Grant of a Private Hire Vehicle Driver Licence: (Pages 15 - 24)

10. Review Status of a Hackney Carriage Driver Licence: (Pages 25 - 42)

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Taxi Licensing Committee

Thursday 5 October 2023

PRESENT:

Councillor Tippetts, in the Chair.
Councillor Tuffin, Vice Chair.
Councillors Finn, Moore, Rennie and Tofan.

Apologies for absence: Councillor Dr Cree.

Also in attendance: Michelle Battershill (Lawyer (Observing)), Andrea Gilbert (Lawyer), Steve Forshaw (Senior Enforcement Officer), Graham Hooper (Senior Intelligence and Licensing Officer), Nicola Horne (Environmental Health Manager), Cathy Morley (Lawyer (Observing)) and Hannah Whiting (Democratic Advisor).

The meeting started at 10.00 am and finished at 12.45 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

49. **Declarations of Interest**

No declarations of interest were made.

50. **Minutes**

The Committee agreed the minutes of the meeting held on 10 August 2023 as a correct record.

51. **Chair's Urgent Business**

There were no items of Chair's urgent business.

52. **Appeal Cases**

There were no appeal cases to report.

53. **Number of Certificates of Good Conduct Exemptions Granted**

There were no Certificates of Good Conduct Exemptions to report.

54. **Review of Hackney Carriage Table of Fares (Taxi Tariff)**

Graham Hooper (Senior Officer in Intelligence and Licensing) introduced the report and highlighted the following points:

- a) Three objections had been received in response to the consultation and stated that the proposed uplift to the tariff was unwarranted and that this would penalise regular customers driving some of these customers away from using taxis;
- i. Officers considered this point of view throughout the first report and acknowledged that if taxi fares are set too high, then members of the public are less likely to use them. However, when weighing up all the factors discussed in the first report, it was the continuing view of officers that the proposed small uplift will not penalise the travelling public but would assist those taxi drivers licensed through the Council to face the significant cost of living rises and support Plymouth's taxi trade to make a viable living;
- b) Two objections raised related to the timings of the individual tariff structures. The comments centred around the view that tariff 1 should commence at 7am and not 6am to allow for the Evening and Nighttime Economy trade and tariff 3 should run all day on Christmas Eve and all day on New Year's Day;
- i. Historically tariff 1 (the day rate) had not started until 6am and finished at 7pm so that those workers i.e., shop workers, care workers, hospital workers etc. were not penalised by the tariff 2 rate (nighttime rate);
 - ii. In addition, Christmas Eve was not a UK public/bank holiday and considered a normal day. Tariff 3 (double time) started at 7pm on Christmas Eve where most workers listed above had finished for the day;
 - iii. Members may have wished to consider the fact that there were no regular bus services run on New Year's Day and taxis would for many be the only source of transport. However, tariff 3 (double rate) ran on New Year's Eve from 7pm and finished at 6am when, as New Year's Day was a bank/public holiday, it then ran on tariff 2 (Sunday/bank holiday rate) until 6am the following day;
 - iv. It was therefore officers continuing view that to avoid unnecessary financial burden on those workers travelling to and from work by taxi that the timings of the tariff structure remain as was current and as advertised.

In response to a question it was explained:

- c) A review of additional charges for passengers travelling from the train station had not been reviewed, but could be considered by officers in a future review.

The Committee agreed to:

1. Approve the tariff as advertised and consulted on as shown in Appendix 2 of the agenda pack;
2. Approved the date for the new tariff to come into force as 16 October 2023.

55. **Exempt Information**

The Committee agreed to pass a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and the public from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information, as defined in paragraph 1/2/3 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

56. **Confidential Minutes**

The Committee agreed the confidential minutes of the meeting held on 10 August 2023 as a correct record.

For (5)
Councillors Finn, Moore, Tippetts Tofan, Tuffin.

Against (0)

Abstain (1)
Councillor Rennie.

Absent/Did Not Vote (0)

57. **Review status of Hackney Carriage Driver Licence**

The Committee having:

- a) considered the report from the Director of Public Health;
- b) heard from the applicant and heard the responses to questions raised;
- c) taken the following into account:
 - a. the law, policy and factual information contained in the report;
 - b. all that was said by the applicant;
 - c. asked itself whether it would want a person they cared for or a vulnerable person to be driven in a vehicle driven by the applicant.

The Committee agreed to:

1. Take no action in relation the vehicle driving licence;
2. Suspend the Hackney Carriage drivers licence for 10 days.

(Please note that there is a confidential part to this minute).

58. **Any Other Business**

(Please note that this minute is confidential).

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Taxi Licensing Committee

Friday 20 October 2023

PRESENT:

Councillor Tippetts, in the Chair.
Councillor Tuffin, Vice Chair.
Councillors Finn, Moore, Rennie and Tofan.

Apologies for absence: Councillors Dr Cree.

Also in attendance: Ian Wills (Senior Lawyer), Steve Forshaw (Senior Enforcement Officer), Mark Wheeler (Enforcement Officer), and Elliot Wearne-Gould (Democratic Advisor).

The meeting started at 10.00 am and finished at 10.30 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

59. **Declarations of Interest**

There were no declarations of interest made in accordance with the code of conduct.

60. **Chair's Urgent Business**

There were no items of Chair's urgent business.

61. **Exempt Information**

The Committee agreed to pass a resolution under Section 100A(4) of the Local Government Act, 1972 to exclude the press and the public from the meeting for the following item of business, on the grounds that it involved the likely disclosure of exempt information, as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

62. **Review of Private Hire Driver and Vehicle Licence (To Follow)**

Steve Forshaw (Senior Licensing Officer) introduced the report to the Committee.

The Committee determined it was appropriate to proceed to review the Private Hire Driver and Vehicle License in the absence of the driver, as they were satisfied that the driver had been given ample notice and invitation to attend, and that the nature of the allegations made were significant enough to warrant review without delay.

The Committee having:

- 1) Taken into account the report from the Director of Public Health and all the information, law and policy contained within it;
- 2) Noted that the driver had not provided any representations;
- 3) Considered the allegations raised, the driver's history, the law, policy and factual information contained in the report;

Asked itself if would they want a vulnerable person or other person they cared about to be driven by this driver. The answer to this question was "no".

The Committee agreed to-

1. Revoke the driver's Private Hire Driver's license;
2. Revoke the driver's Private Hire Vehicle License.

(Please note, there is a confidential part to this minute)

The following relates to exempt or confidential matters (Para(s) 1, 2, 3 of Part 1, Schedule 12A of the Local Govt Act 1972). A breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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