

Licensing Committee (Hackney Carriage)

Thursday 3 November 2011

PRESENT:

Councillor Reynolds, in the Chair.
Councillor Delbridge, Vice Chair.
Councillors Bowie, Churchill, Haydon, Mrs Nicholson and Rennie.

The meeting started at 10am and finished at 4.50 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.

70. DECLARATIONS OF INTEREST

The following declarations were made –

Name	Subject	Reason	Interest
Councillor Churchill	Minute 80 Application for the Grant of a Hackney Carriage Driver's Licence	Knew the applicant	Personal and prejudicial
Councillor Rennie	Minute 80 – Application for the Grant of a Hackney Carriage Driver's Licence	Knew the applicant from the security trade	Personal
Councillor Reynolds	Minute 76 – Review of Hackney Carriage Driver's Licence Status	Had witnessed one of the incidents referred to in the report	Appearance of bias

71. MINUTES

Agreed that the minutes of the meeting held on 24 October 2011 are confirmed as a correct record.

Councillor Rennie raised concerns regarding a record of absence being marked against those councillors who had been unable to attend the re-scheduled meeting on 24 October 2011 (the councillors concerned had been able to attend the original meeting).

72. **CHAIR'S URGENT BUSINESS**

The Chair confirmed that an additional meeting of the Licensing Committee Hackney Carriage would be held on 17 November 2011 at 10am. The meeting had been scheduled to consider the objections to the public consultation regarding the Hackney Carriage Tariffs.

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for urgent consideration because of the need to advise Members).

73. **APPEAL CASES**

The Committee was advised that there were no new appeal cases since the last meeting.

74. **EXEMPT INFORMATION**

Agreed that under Section 100(A) (2) and (4) of the Local Government Act, 1972, the press and public are excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of confidential/exempt information as defined in paragraph 3 and 7 of Part 1 Schedule 12A of the (Local Government Access to Information) Act 1985, as amended from the Freedom of Information Act 2000.

Order of Business

The order of business on the agenda was amended as set out below in the minutes.

75. **LICENSED PRIVATE HIRE DRIVER REVIEW OF LICENCE STATUS - NAH**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from NAH;
- (c) heard from NAH's current employer.

Agreed that having taken into account all the information, NAH is no longer considered to be a fit and proper person, as his driving record over such a long period of time raised concerns for public safety and therefore his private hire driver's licence would be revoked under Section 19(1)(b) of the Plymouth City Council Act 1975.

(Note: there is a confidential part to this minute)

76. **LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF LICENCE STATUS - DCS**

The committee having –

- (a) considered the report form the Director for Community Services;

- (b) heard from DCS.

Agreed that having taken into account all of the information, a warning will be placed on DCS's file and this would be brought to members' attention should he appear before them in the future.

(Councillor Reynolds declared an interest in this matter which he considered raised an appearance of bias and left the room).

(Note: there is a confidential part to this minute)

77. **LICENSED PRIVATE HIRE DRIVER REVIEW OF LICENCE STATUS - APG**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from APG.

Agreed that APG's licence is suspended until such time as he produces a medical certificate as required by his conditions of licence, in accordance with Section 19(1)(b) of the Plymouth City Council Act 1975.

(Note: there is a confidential part to this minute)

78. **APPLICATION FOR THE GRANT OF A RESTRICTED PRIVATE HIRE DRIVER'S LICENCE - SH**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from SH;
- (c) heard from SH's current employer.

Agreed that the application for a restricted private hire driver's licence is granted, subject to the condition that the licence is restricted to airport/sea port transfers and school transport under a permit issued by Plymouth City Council and that SH is not required to take the driving test.

79. **APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - ASH**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from ASH;

- (c) heard from ASH's representative.

Agreed that the application for a hackney carriage driver's licence is granted subject to the satisfactory completion of the three pre requisites, namely the medical examination, the driving test and the knowledge of Plymouth test and to complete the VRQ within the first 12 months of his licence.

(Councillor Churchill declared a personal and prejudicial interest in this matter and left the room).

(Councillor Rennie declared a personal interest in this item).

80. **APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - LH**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from LH;
- (c) heard from his father;
- (d) heard from his legal representative.

Agreed that the application for a hackney carriage driver's licence is granted subject to the satisfactory completion of the three pre requisites, namely the medical examination, the driving test and the knowledge of Plymouth and to complete the VRQ within the first 12 months of being granted the licence; and to produce a medical certificate confirming that he is fit to medical standard group II upon renewal of his licence.

81. **LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF LICENCE STATUS - MR**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from the Licensing Officer on MR's behalf.

Agreed that no further action is taken as a copy of the medical certificate had been produced.