

Licensing Committee (Hackney Carriage)

Friday 14 October 2011

PRESENT:

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

Apologies for absence: Councillors Bowie, Haydon and Rennie.

Also in attendance: Sharon Day (Lawyer), Mark Small (Taxi Licensing Officer) and Helen Wright (Democratic Support Officer).

The meeting started at 10am and finished at 11.30am.

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.

61. **DECLARATIONS OF INTEREST**

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

62. **MINUTES**

Agreed that the minutes of the meetings held on 1 and 2 September 2011 are confirmed as a correct record.

63. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

64. **APPEAL CASES**

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

65. **LICENSED PRIVATE HIRE DRIVER REVIEW OF LICENCE STATUS - P H ALLEN**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from Mr Allen;

- (c) taken into account that –
- Mr Allen had been a licensed driver since August 2005, although he had not used the licence for six years and had been employed as an engineer. He had subsequently lost his job following his conviction;
 - on 26 July 2011 he was disqualified from driving for a period of 16 months following a conviction for drink driving and was also fined £100;
 - Mr Allen had no other convictions or fixed penalties;
 - that Mr Allen had not reported the conviction in accordance with the conditions of his private hire driver's licence and was therefore in breach of condition 1(c). Mr Allen explained this was due to the fact that he had forgotten to do this as he was out of touch with the conditions of licence, as he had not driven as a private hire driver for six years. He had reported it on being reminded by another taxi driver;
 - motoring and alcohol related offences were relevant considerations under the Council's policy for deciding whether a person was fit and proper to retain a licence;
- (d) members were concerned that the convictions and breach of licence condition called Mr Allen's fitness to be a private hire driver into question and members wanted to be sure that Mr Allen was safe if he were to drive members of the public around.

Agreed that having taken all of the above into account Mr Allen's private hire driver's licence would be suspended under section 19(1)(b) of the Plymouth City Council Act 1975 until such time as he had taken and passed the private hire driving standards test and proof of the fact he had done this was produced to the licensing office. Mr Allen would also be required to take the VRQ or equivalent qualification in transporting passengers by taxi or private hire within 12 months of regaining his private hire driver's licence.

66. **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 I Schedule 12A of the (Local Government Access to Information) Act 1985, as amended from the Freedom of Information Act 2000.

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

The committee having –

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

- (b) heard from the licensing officer that APG was not present as he was away on holiday.

Agreed that a letter is sent to APG inviting him to attend the next meeting and warning that if APG fails to attend then the matter will be considered in his absence.

68. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - BJB**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from the licensing officer that BJB was not present as he was unwell.

Due to BJB's non attendance at committee, Members agreed that his application for the grant of a private hire driver's licence is held on file until such time as he contacts the licensing department.

69. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - IB**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from IB;
- (c) heard from IB's representative.

Agreed that the application for a private hire driver's licence is granted subject to the satisfactory completion of the pre requisite tests, namely the medical examination, the driving test and knowledge of Plymouth test.