

Taxi Licensing Committee

Thursday 22 November 2012

PRESENT:

Councillor Haydon, in the Chair.

Councillor Bowie, Vice Chair.

Councillors Casey (substitute for Councillor Singh), Fry (substitute for Councillor Mrs Foster), Mrs Nicholson, Rennie and Ricketts.

Apologies for absence: Councillors Mrs Foster and Singh.

Also in attendance: George Curness (Licensing Officer), Steve Forshaw (Licensing Officer), Andrea Gilbert (Legal Officer) and Helen Wright (Democratic Support Officer).

The meeting started at 10am and finished at 3.15pm.

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.

67. **DECLARATIONS OF INTEREST**

In accordance with the code of conduct, Councillor Bowie declared a personal interest in minute numbers 73 and 74.

68. **MINUTES**

Agreed that the minutes of the meeting held on 25 October 2012 are confirmed as a correct record.

69. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

70. **APPEAL CASES**

The committee was advised that there had been no new appeal cases heard since the last meeting.

71. **LICENSED PRIVATE HIRE DRIVER - REVIEW OF LICENCE STATUS - C SZIKSZAI**

Due to Mr Szikszai's non-attendance at committee, Members agreed that this matter is deferred until the next available committee meeting.

Order of Business

With permission of the Chair, the order of business on the agenda was amended, as set out below in the minutes.

72. **EXEMPT INFORMATION**

Agreed that under Section 100A(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 exempt information as defined in paragraphs 3 and 7 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

73. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE OPERATOR'S LICENCE - SC (E3 AND E7)**

The committee –

- (a) considered the report of the Director for Place;
- (b) heard from SC and her representative.

The committee agreed to grant SC's application for a private hire operator's licence subject to the necessary planning permission being granted.

(Councillor Bowie declared a personal interest in this matter and left the room for this item).

74. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE OPERATOR'S LICENCE - PC (E3 AND E7)**

The committee –

- (a) considered the report of the Director for Place;
- (b) heard from PC and his representative.

The committee agreed to grant PC's application for a private hire operator's licence subject to the necessary planning permission being granted.

(Councillor Bowie declared a personal interest in this matter and left the room for this item).

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

The committee –

- (a) considered the report of the Director for Place;
- (b) heard from Mr Boitus;

- (c) heard details of Mr Boitus's motoring offences;
- (d) took into account that –
 - Mr Boitus had completed the level 2 NVQ in Road Passenger Vehicle Driving of his own volition;
 - Mr Boitus had indicated on his renewal form that he had received fixed penalty points and stated that he attended in person to report two of the offences at the licensing office;
 - none of the offences took place while he was acting in his capacity as a private hire or hackney carriage driver.

However, Members were concerned that –

- (e) Mr Boitus had been granted a private hire driver's licence with a twelve month probationary period by Plymouth City Council in December 2008; in April 2009, Mr Boitus had committed a speeding offence;
- (f) in September 2009, Mr Boitus transferred to a hackney carriage driver's licence and in January 2010 he was convicted for the December 2008 speeding offence;
- (g) there was no record of Mr Boitus having reported this conviction to the licensing department in writing as required by the terms and conditions of that licence;
- (h) one month later in February 2010, Mr Boitus was given a fixed penalty fine and three penalty points for exceeding the speed limit on a public road;
- (i) finally in July 2011 Mr Boitus was convicted of a non-specified offence for which he was fined £85 and his licence endorsed with three penalty points in April 2012;
- (j) Mr Boitus currently had nine points on his driving licence;
- (k) by Mr Boitus own admission he was inattentive whilst driving on several occasions.

Mr Boitus had committed three motoring offences which raised concerns about his attitude towards the safety of the public.

In addition Mr Boitus had breached the private hire driver's licence conditions by failing to report a conviction in the correct manner.

The committee agreed that it is proportionate to suspend Mr Boitus's hackney carriage driver's licence for a period of two days in respect of the offences themselves and two days for failing to report the offences in the correct manner; this will be a total of four day's suspension.

(Councillor Bowie was present for the remaining items on the agenda).

(Please note: this matter was considered in Part I of the meeting).

76. **LICENSED HACKNEY CARRIAGE DRIVER - REVIEW OF LICENCE STATUS - MW (E3 AND E7)**

The committee -

- (a) considered the report of the Director for Place;
- (b) heard from MW.

Having taken the above into account the committee agreed that it is proportionate to issue MW with a warning which will lie on his file and will be brought to the attention of any future licensing committee which he is required to attend.

(Councillors Fry and Ricketts were not present for the following items on the agenda).

(Please note: this item and the remaining items were considered under Part II).

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

77. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - MH (E3 AND E7)**

The committee –

- (a) considered the report of the Director for Place;
- (b) heard from MH.

The committee agreed to grant MH's application for a private hire driver's licence subject to him satisfactorily completing the VRQ driver qualification in Transporting Passengers by Taxi and Private Hire or its equivalent within the next 12 months of the grant of this licence.

78. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - WL (E3 AND E7)**

The committee –

- (a) considered the report of the Director for Place;
- (b) heard from WL.

The committee agreed to grant WL's application for a private hire driver's licence subject to the completion of the pre-requisite tests, namely the DVLA Group II medical certificate, the driving standards test and the knowledge of Plymouth test. WL is also required to complete the VRQ driver qualification in Transporting Passengers by Taxi and Private Hire or equivalent within the first 12 months of the grant of this licence.

79. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - SU (E3 AND E7)**

Due to SU'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.