

# Taxi Licensing Committee

Thursday 28 February 2013

## PRESENT:

Councillor Haydon, in the Chair.

Councillor Bowie, Vice Chair.

Councillors Fry (Substitute for Councillor Mrs Foster), Mrs Nicholson, Rennie and Singh.

Apologies for absence: Councillors Mrs Foster and Ricketts.

Also in attendance: George Curness (Licensing Officer am only), Sharon Day (Legal Officer), Steve Foreshaw (Licensing Officer pm only) and Helen Wright (Democratic Support Officer).

The meeting started at 10 am 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.*

## 110. DECLARATIONS OF INTEREST

In accordance with the code of conduct the following declarations of interest were made by Members –

Name	Reason	Interest
Councillor Rennie (Minute 120)	Knew the applicant	Personal
Councillor Sing (Minute 123)	Involvement with BTCV	Personal

## 111. MINUTES

Agreed the minutes of the meeting held on 24 January 2013 are confirmed as a correct record.

## 112. CHAIR'S URGENT BUSINESS

The Chair reported that with regard to the Cornwall Street taxi rank review, both himself and the Vice Chair had met with officers and the Portfolio Holder and it had been agreed that this matter would be put out to consultation within the next couple of months.

The issue of regularly meetings with the Chair, Portfolio Holder and the trade had not been raised at this meeting but Councillor Haydon undertook to follow this matter up.

(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 inform Members).

113. **APPEAL CASES**

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

**Order of Business**

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

114. **LICENSED HACKNEY CARRIAGE DRIVER - REVIEW OF LICENCE STATUS - J S HIGGS**

The committee -

- (a) considered the report from the Director for Place;
- (b) heard from Mr Higgs that his failure to report the conviction had been an oversight and had not been done intentionally; his wife had been ill and due to the difficult family circumstances at the time of the conviction he had failed to inform the council;
- (c) took the following into consideration –
  - that Mr Higgs had been a hackney carriage driver since 19 December 2003 having been a private hire driver since prior to December 2000;
  - Mr Higgs' current licence was due to expire on 21 December 2013;
  - during the renewal of Mr Higgs' licence in December 2013, it was noted that he had been convicted on 16 October 2012 for speeding; he had been fined 300 and had his DVLA licence endorsed with three penalty points;
  - Mr Higgs currently had three penalty points on his licence;
  - it was a requirement of Byelaw 11 of the Hackney Carriage Byelaws that a hackney carriage driver was required to notify the council of any motoring conviction within seven days of conviction; Mr Higgs did not notify the council as required by the Byelaw;
  - the three character references provided by Mr Higgs;

- all that was said by Mr Higgs;
- (d) was concerned that Mr Higgs had failed to report the conviction in accordance with the Hackney Carriage Byelaws but had taken into account his personal circumstances and mitigation.

The committee agreed to suspend Mr Higgs Hackney Carriage driver's licence under section 19(1)(b) of the Plymouth City Council Act 1975 for a period of one day in respect of his failure to report the conviction as this did not show a commitment to work with the licensing authority which is a relevant consideration under the licensing objective of preventing crime and disorder and protecting consumers.

115. **LICENSED PRIVATE HIRE DRIVER - REVIEW OF LICENCE STATUS - P SICH**

The committee –

- (a) considered the report from the Director for Place;
- (b) heard from the licensing officer that Mr Sich had failed to attend this meeting.

The committee agreed that the matter is adjourned to the next committee and that a letter is sent to Mr Sich informing him that if he failed to attend the next committee the matter would be dealt with in his absence.

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

The committee –

- (a) considered the report from the Director for Place;
- (b) heard from the licensing officer that Mr Szikszai was not present and had left the country for an unknown period of time and that his licence was due to expire in a few days.

The committee agreed that if Mr Szikszai returns to the UK and re-applies for a private hire or hackney carriage driver's licence, officers are required to refer the matter to the Taxi Licensing Committee for considerations as to whether or not to grant the licence and at that time the information contained within the report is brought to members' attention.

117. **EXEMPT INFORMATION**

Agreed that under Section 100A(4) of the Local Government Act 1972, to exclude the press and 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 paragraphs 3 and 7 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

118. **CONFIDENTIAL MINUTES (E3 AND E7)**

Agreed that the minutes of the meeting held on 24 January 2013 are confirmed as a correct record.

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

The committee –

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

The committee agreed to grant AKC's application for a private hire driver's licence subject to him satisfactorily completing the VRQ driver qualification in 'Transporting Passengers by Taxi or Private Hire' or equivalent within the first 12 months of being granted the licence.

120. **APPLICATION FOR THE GRANT OF PRIVATE HIRE DRIVER'S LICENCE - KJ (E3 AND E7)**

The committee –

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

The committee agreed to grant KJ's application for a private hire driver's licence subject to him completing all the pre requisites for the grant of a licence (due to the length of time he has been out of the trade) and also subject to him completing the VRQ driver qualification in 'Transporting Passengers by Taxi and Private Hire' or equivalent within the first 12 months of being granted the licence.

(Councillor Rennie declared a personal interest in this matter)

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

The committee –

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

The committee agreed to grant HRK's application for a private hire driver's licence subject to him satisfactorily completing all the remaining pre requisites for the grant of a licence and also subject to him completing the VRQ driver qualification in 'Transporting Passengers by Taxi or Private Hire' or equivalent within the first 12 months of being granted the licence.

(Note: Councillor Rennie voted against the grant of this application)

122. **APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - EKB (E3 AND E7)**

The committee –

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

The committee agreed to grant EKB's application for the grant of a hackney carriage driver's licence subject to him completing all the pre requisites for the grant of a licence and also subject to him completing the VRQ driver qualification in 'Transporting Passengers by Taxi or Private Hire' or equivalent within the first 12 months of being granted the licence.

(Note: Councillors Fry and Rennie voted against the grant of this application)

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

The committee –

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

The committee agreed to grant ZMG's application for the grant of a private hire driver's licence subject to him completing all the pre requisites for the grant of a licence and also subject to him completing the VRQ driver qualification in 'Transporting Passengers by Taxi or Private Hire or equivalent within the first 12 months of being granted the licence.

(Councillor Singh declared a personal interest in this matter).