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19 August 2013

TAXI LICENSING COMMITTEE

Thursday 29 August 2013
10am
Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Haydon, Chair
Councillor Bowie, Vice Chair
Councillors Mrs Bowyer, Mrs Foster, Mrs Nicholson Rennie and Singh.

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

Tracey Lee
Chief Executive

TAXI LICENSING COMMITTEE

AGENDA

PART I – PUBLIC MEETING

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 - 4)

To confirm the minutes of the meeting held on 25 July 2013.

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. EXEMPT INFORMATION

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 3 and 7 of Part I 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. Members of the public will be asked to leave the meeting when such items are discussed.

7. CONFIDENTIAL MINUTES (E3 AND E7) (Pages 5 - 8)

To confirm the confidential minutes of the meeting held on 25 July 2013.

8. LICENSED HACKNEY CARRIAGE DRIVER - REVIEW OF LICENCE STATUS - KA (E3 AND E7) (Pages 9 - 14)

The Director for Place will submit a report on a licensed hackney carriage driver review of licence status.

9. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - PAS (E3 AND E7) (Pages 15 - 20)

The Director for Place will submit a report on an application for the grant of a private hire driver's licence.

10. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - MJT (E3 AND E7) (Pages 21 - 26)

The Director for Place will submit a report on an application for the grant of a private hire driver's licence.

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Taxi Licensing Committee

Thursday 25 July 2013

PRESENT:

Councillor Haydon, in the Chair.

Councillor Bowie, Vice Chair.

Councillors Mrs Bowyer, Mrs Foster, Mrs Nicholson, Rennie and Singh.

Also in attendance: Mark Small (Licensing Officer) (AM only), Sharon Day (Legal Officer), Steve Forshaw (Licensing Officer) (PM only) and Ross Johnston (Democratic Support Officer).

The meeting started at 10.00 am and finished at 3.30 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.

26. DECLARATIONS OF INTEREST

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

27. MINUTES

Agreed that the minutes of the meeting held on 4 July 2013 are confirmed as a correct record.

28. CHAIR'S URGENT BUSINESS

There were no items of chair's urgent business.

29. APPEAL CASES

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

30. 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 Schedule 12a of the Act, as amended by the Freedom of Information Act 2000.

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

The committee –

- (a) considered the report from the Director for Place;
- (b) heard and received a pre-prepared statement from AS along with documents referred to within that statement.

The committee having taken the above items into account agreed that the application is granted as members consider that AS is a fit and proper person to hold a restricted private hire operator's licence.

32. **RESTRICTED PRIVATE HIRE DRIVER - REVIEW OF DRIVER/OPERATOR LICENCE STATUS - JO (E3 AND E7)**

The committee -

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

The committee agreed that –

- (1) JO's restricted private hire operator's licence is revoked in accordance with section 20 of the Plymouth City Council Act 1975 as he has been convicted of offences under that Act and the committee considered that those convictions and those relating to the insurance offences rendered him unfit to hold an operator's licence. This is because as an operator JO is responsible for ensuring the safe running of a business and his convictions showed a complete disregard for public safety which is a relevant consideration under the Council's licensing objectives of safety and health of drivers and the public and the prevention of crime and disorder and protection of consumers.
- (2) no action would be taken against JO's private hire driver's licence on this occasion.

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

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

The committee –

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

The committee agreed that the application for a private hire driver's licence is granted subject to JMN completing all the usual prerequisites and that he is required to complete the VRQ driver qualification in Transporting Passengers by Taxi and Private Hire or equivalent within the first 12 months of being licensed.

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

The committee heard from the Licensing Officer that SWA had surrendered his Hackney Carriage driver's licence and therefore no further action would be required.

35. **LICENSED PRIVATE HIRE DRIVER - REVIEW OF LICENCE STATUS - CMF (E3 AND E7)**

The committee -

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

The committee agreed that having taken the above into consideration CMF's private hire driver's licence is revoked under section 19 of the Plymouth City Council Act 1975. CMF is no longer considered to be a fit and proper person due to his conviction which raises concerns for public safety and this is a relevant consideration under the Council's licensing objectives of safety and health of drivers and the public and prevention of crime and disorder and protection of consumers.

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