



Democratic Support

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Published 23 October 2013

TAXI LICENSING COMMITTEE

Thursday 31 October 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 19 September 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 19 September 2013.

8. LICENSED PRIVATE HIRE DRIVER - REVIEW OF LICENCE STATUS - CMS (E3 AND E7) (Pages 9 - 12)

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

9. LICENSED PRIVATE HIRE DRIVER - REVIEW OF LICENCE STATUS - DSH (E3 AND E7) (Pages 13 - 18)

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

10. LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER - REVIEW OF LICENCE STATUS - MK (E3 AND E7) (Pages 19 - 24)

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

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Taxi Licensing Committee**Thursday 19 September 2013****PRESENT:**

Councillor Haydon, in the Chair.

Councillor Mrs Nicholson, Vice Chair.

Councillors Mrs Bowyer, Casey (substitute for Councillor Bowie), Mrs Foster, Rennie and Singh.

Apology for absence: Councillor Bowie.

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 10.00 am and finished at 4.15 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.*45. **APPOINTMENT OF VICE CHAIR**Agreed that Councillor Mrs Nicholson is appointed as the Vice Chair for this particular meeting.46. **DECLARATIONS OF INTEREST**

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

47. **MINUTES**Agreed that the minutes of the meeting held on 29 August 2013 are confirmed as a correct record.48. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

49. **APPEAL CASES**

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

50. **LICENSED HACKNEY CARRIAGE DRIVER - REVIEW OF LICENCE STATUS - J MCANDREW**

The committee -

- (a) considered the report from the Director for Place;

- (b) heard from Mr McAndrew –
- that he had completed his NVQ some time ago;
 - the details of the offence;
 - that he had learnt his lesson and this sort of incident would not happen again;
- (c) took the following into consideration –
- that Mr McAndrew had been licensed as a private hire driver in 2002 but had transferred to hackney carriage in 2004;
 - the details of the conviction as outlined in the report;
 - Mr McAndrew had no current driving endorsements on his licence;
 - violent offences were relevant when considering the suitability of a person to hold a licence;
 - all that was said by Mr McAndrew.

Councillors were concerned that this was an act of violence which had occurred within the taxi trade.

The committee agreed that taking all the above into consideration Mr McAndrew is issued with a warning which is to remain on his file and will be brought to the committee's attention if Mr McAndrew appeared before it in the future; additionally, whilst councillors accepted that Mr McAndrew had completed his NVQ in Transporting Passengers by Taxi and Private Hire (or equivalent), he is required to produce proof that he has completed the same within seven days and if it is not produced within that time, then Mr McAndrew will be required to appear before the Taxi Licensing Committee.

51. **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.

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

Agreed that the confidential minutes of the meeting held on 29 August 2013 are confirmed as a correct record.

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

The committee –

- (a) considered the report from the Director for Place;
- (b) heard from KPE;
- (c) took the above report and all that was said by KPE into consideration.

The committee agreed that having taken the above into account KPE will be given a warning which will remain on file and will be brought to councillors' attention if KPE appears before them in the future.

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

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

The committee –

- (a) considered the report from the Director for Place;
- (b) heard from GHP;
- (c) took the above report and all that was said by GHP into consideration.

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

(Councillor Casey was not present for this item)

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

The committee –

- (a) considered the report from the Director for Place;
- (b) heard from the complainant and read her witness statement;
- (c) heard from SIB;
- (d) took the above report and all that was said by the witness and SIB

into consideration.

The committee agreed that having taken the above into account SIB's hackney carriage driver's licence is suspended for five days under Section 19(1)(b) Plymouth City Council Act, 1975.

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

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

The committee –

- (a) considered the report from the Director for Place;
- (b) heard from SB;
- (c) took the above report and all that was said by SB into consideration.

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

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