



Democratic Support

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TAXI LICENSING COMMITTEE

Thursday 19 December 2013
10.00 am
Council House, Plymouth (Next to the Civic Centre)

Members:

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

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 - 2)

To confirm the minutes of the meeting held on 28 November 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. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - A G TURI

(Pages 3 - 6)

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

7. 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 1 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.

8. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - WAF (E3 AND E7) (Pages 7 - 12)

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

9. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - IAO (E3 AND E7) (Pages 13 - 18)

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

LUNCH 1PM - 2PM

10. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - DJG (E3 AND E7) (Pages 19 - 24)

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

11. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - SPC (E3 AND E7) (Pages 25 - 30)

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

12. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - TST (E3 AND E7) (Pages 31 - 38)

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 28 November 2013

PRESENT:

Councillor Haydon, in the Chair.

Councillor Bowie, Vice Chair.

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

Also in attendance: George Curness (Licensing Officer), Andrea Gilbert (Legal Officer), Lynn Young (Democratic Support Officer).

The meeting started at 10.00 am and finished at 10.45 am.

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.

66. **DECLARATIONS OF INTEREST**

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

67. **MINUTES**

Agreed that the minutes of the meeting held on 31 October 2013 are confirmed as a correct record.

68. **CHAIR'S URGENT BUSINESS**

There were no items of chair's urgent business.

69. **APPEAL CASES**

The committee was advised that there had been one new appeal case since the last meeting where the committee's decision had been upheld by the court.

70. **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.

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

Agreed that the confidential minutes of the meeting held on 31 October 2013 are confirmed as a correct record.

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

The committee –

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

During the course of the Committee hearing, AJC elected to withdraw his application for a hackney carriage licence.

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

The committee was advised that IAO was not present. This was possibly due to some confusion with the address to which the report had been sent.

The committee therefore agreed to adjourn the matter to the next available committee meeting. In the interim the licensing officer would contact IAO to advise him of the date of the next committee meeting.

Plymouth City Council

Subject: Application for the Grant of a Private Hire Driver's Licence
Committee: Taxi Licensing Committee
Date: 19 December 2013
Cabinet Member: Councillor Coker
CMT Member: Anthony Payne (Director for Place)
Author: Mark Small (Taxi Licensing Officer)
Contact: Tel: 01752 307984
e-mail: mark.small@plymouth.gcsx.gov.uk
Ref: ERS/LIC/MTS/agt
Key Decision: No
Part: I

Purpose of the report:

For Members of the Committee to consider application for a Private Hire driver licence made by Mr Alin Gelu Turi, having due regard for the information contained within the report, any representations made by him and the Taxi Licensing Policy of the Council.

The Brilliant Co-Operative Council Corporate Plan 2013/14 – 2016/17

This report links to the delivery of the City and Council priorities.

In particular:

Growing Plymouth: By economic prosperity through an efficient public transport network.

Caring Plymouth: Providing consumer confidence.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management:

Members should be aware that Section 17 of the Crime Disorder Act 1998 put a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? Yes /No* please delete as necessary

Recommendations and Reasons for recommended action:

That Members of the Taxi Licensing Committee consider this report.

Alternative options considered and rejected:

None.

Published work / information:

None.

Background papers:

None.

Sign off:

Fin		Leg	AZG/19065 /5.12.13	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the contents of the report? Yes / No													

Report

1. On the 15 November 2013, Mr Alin Gelu Turi made an application for the grant of a Private Hire driver's licence. At that time he produced a Certificate of Good Conduct from the Romanian authorities which revealed no convictions being recorded against him
2. Records indicate that Mr Turi was first granted a private Hire driver licence by Plymouth City Council on 14.11.2008, this was surrendered on the 10.05.2011 as he left the area. Mr Turi completed the VRQ driver qualification during the period he last held a licence and evidence of this was provided to the Council on 23.11.2009.
3. An inspection of the DVLA licence held by Mr Turi shows that there are no motoring endorsements upon it.
4. When making his application, Mr Turi has requested that he is excused completing the Topographical Knowledge of Plymouth Test, which he had successfully passed when he was first granted a licence in the year 2008.
5. S.9(1)(a) of the Plymouth City Council Act 1975 states that the Council shall not grant a licence, to drive a private hire vehicle, to an applicant unless they are satisfied that the applicant is a "fit and proper" person to hold such a licence.
6. In reaching their decision, Members must have regard to the Council's Hackney Carriage and Private Hire Licensing Policy. The relevant parts of the Council's policy are detailed below:

General Policy

The Council's Hackney Carriage and Private Hire Licensing Policy states that the Council will carry out its Hackney Carriage and Private Hire licensing function with a view to promoting stated objectives. Members must therefore ensure that they consider those objectives when forming a decision.

The licensing objectives are as follows:

1. Safety and health of drivers and the public – e.g.
 - Consideration of history of convictions and actions,
 - driver training, qualification and performance,
 - health and fitness to fulfil the role and crime prevention measures.
2. Vehicle safety, comfort and access
3. To prevent crime and disorder and to prevent and to protect consumers – e.g.
 - commitment to work with the police and licensing authorities
4. To encourage environmental sustainability.

Chapter 2 – Conditions of Licence

Paragraph 12.3 states that when considering whether someone is “fit and proper” the authority will consider, amongst other things

- Relevant skills
- Knowledge
- Experience
- Qualifications
- Medical Fitness
- Criminal record (as to relevance of offences)
- Previous history as a licence holder

Paragraph 18.2 requires that in considering whether a person is “fit and proper”, each case is considered on its own merits.

7. Mr Turi has yet to complete the remaining pre-requisites for the grant of a licence, those being:

Knowledge of Plymouth Test,
Driving Standards Test,
Produce a DVLA Group II medical certificate,

8. Mr Turi has been invited to attend this Licensing Committee in order that his application may be considered.

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