



Democratic Support

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Published 22 May 2015

TAXI LICENSING COMMITTEE

Wednesday 3 June 2015

10.00 am

Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Jarvis, Chair

Councillor Bowie, Vice Chair

Councillors Mrs Foster, Fry, 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. TO NOTE THE APPOINTMENT OF CHAIR AND VICE CHAIR

The Committee will be asked to note the appointment of the Chair and Vice Chair for the municipal year 2015-2016.

2. APOLOGIES

To receive apologies for non-attendance submitted by Committee Members.

3. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this agenda.

4. MINUTES

(Pages 1 - 4)

To confirm the minutes of the meeting held on 16 April 2015.

5. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

6. APPEAL CASES

The Committee will be provided with the results of the judgement on appeal cases that went to Court.

7. SCHEDULE OF MEETINGS FOR THE FORTHCOMING YEAR

The Committee is asked to note the dates of future meetings for the municipal year 2015-2016. All meetings will commence at 10 am.

- Thursday 18 June 2015
- Thursday 9 July 2015
- Thursday 6 August 2015
- Thursday 10 September 2015
- Thursday 8 October 2015
- Thursday 12 November 2015
- Thursday 3 December 2015

- Thursday 7 January 2016
- Thursday 4 February 2016
- Thursday 3 March 2016
- Thursday 31 March 2016

8. 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) 1, 2 and 3 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.

9. CONFIDENTIAL MINUTES (Pages 5 - 6)

To confirm the confidential minutes of the meeting of 16 April 2015.

10. APPLICATION FOR PERMISSION TO COVER A HACKNEY CARRIAGE WITH AN ADVERTISEMENT HAVING REGARD TO THE COUNCIL'S TAXI HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - MS (Pages 7 - 18)

The Director of Public Health will submit a report on an application for permission to cover a hackney carriage with an advertisement having regard to the Council's Taxi Hackney Carriage and Private Hire Licensing Policy.

11. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE - CRT (Pages 19 - 24)

The Director of Public Health will submit a report on a hackney carriage driver's review of licence status.

12. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - AH (Pages 25 - 30)

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

13. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - JM (Pages 31 - 38)

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

LUNCH 1PM - 2PM

14. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - TWO'L (Pages 39 - 44)

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

15. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE - DPT (Pages 45 - 50)

The Director of Public Health will submit a report on a private hire driver's review of licence status.

Taxi Licensing Committee

Thursday 16 April 2015

PRESENT:

Councillor Jarvis, in the Chair.
Councillor Bowie, Vice Chair.
Councillors Mrs Foster, Fry, Mrs Nicholson, Rennie and Singh.

Also in attendance: Steve Forshaw (Senior Enforcement Officer), Andrea Gilbert (Lawyer), David Hughes (Senior Officer, Public Protection Service) and Lynn Young (Democratic Support Officer).

The meeting started at 10.00 am and finished at 1.48 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.

125. DECLARATIONS OF INTEREST

There were no declarations of interest in respect of items on this agenda.

126. MINUTES

Agreed that the minutes of the meeting held on 19 February 2015 are confirmed as a correct record.

127. CHAIR'S URGENT BUSINESS

Councillor Rennie circulated a set of minutes from a meeting of the Public Protection Service and Taxi Licensing Trade held on 9 January 2015, and expressed concern that these minutes were not available to members of the Taxi Licensing committee.

Following a discussion, the committee was advised by Messrs Forshaw and Hughes that these meetings were attended by representatives of the city's taxi trade. It was acknowledged that not all aspects of the trade were represented despite the officer's best efforts. Mr Forshaw advised the committee that he would endeavour to ensure that future meetings were attended by more representatives of the trade.

The committee agreed that the minutes of the Public Protection Service and Taxi Licensing Trade meetings should be presented at meetings on a regular basis.

128. APPEAL CASES

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

129. **CONSIDERATION IN PRINCIPLE TO DEPART FROM THE COUNCIL'S CURRENT LICENSING POLICY IN RESPECT TO THE MAXIMUM HACKNEY CARRIAGE VEHICLE LENGTH OF 5000 MM - C R WILDMAN**

The committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from Mr Wildman;
- (c) took the above report and all that was said by Mr Wildman into consideration;
- (d) had sight of various documents provided by Mr Wildman;
- (e) took the following into account –

- **Current licensing position**

Appendix P of Plymouth City Council's Hackney Carriage and Private Hire Licensing Policy is titled "Specifications for Hackney Carriages". It states that prospective Hackney Carriage Vehicles must meet the requirements laid out in the Council's Vehicle Testing Addendum. This document states at Item 19 that the length of the Hackney Carriage vehicle should not exceed 5000mm (5m) in length. The rationale behind this specification is that taxi ranks have been constructed allowing 5m per vehicle rank space thereby accommodating the maximum amount of taxis per ranks in recognition of the demand for such spaces;

- **Mr Wildman's position**

Mr Wildman's current vehicle licence is due to expire on the 13 December 2015. His vehicle requires replacement to comply with the Council's vehicle emissions policy. In addition, he maintains that his height requires particular dimensions within the driver compartment which cannot be accommodated by vehicles which fall within the Council's existing vehicle specifications. He therefore states that he will need to source an LWB Ford Tourneo Custom Titanium L2 model as his replacement vehicle and have this vehicle converted for his specific needs in order to incorporate his height specifications and improve the vehicle for wheelchair users. The length of this vehicle is 5339mm;

- **Considerations**

The Council is due to carry out a public consultation on the revision of its licensing policy. The maximum vehicle length of Hackney Carriages is an item which is due to be considered. There are currently ten Long Wheel Based vehicles already operating as licensed Hackney Carriages in Plymouth which have been incorrectly passed through compliance by

testing stations who have now been warned to adhere to the testing addendum. One of Plymouth City Council's licensing objectives is to promote the safety and health of drivers and the public.

The committee took all of the above into consideration and have considered Mr Wildman's application on its own merits. They gave great weight to his argument that the new dimensions of the proposed vehicle would be of considerable benefit to his disabled customers and would provide them with a more comfortable and dignified journey. They have therefore elected to confirm in principle the departure from the Hackney Carriage and Private Hire Licensing Policy and to delegate authority to officers the ability to grant a licence to a vehicle of the length, make and modifications detailed in the report provided the vehicle also complies with all other vehicle specification and testing addendum qualifying criteria when formal application is made.

(David Hughes left the meeting after this agenda item)

130. **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 1, 2 and 3 of Part I Schedule 12a of the Act, as amended by the Freedom of Information Act 2000.

131. **CONFIDENTIAL MINUTES**

Agreed that the confidential minutes of the meeting held on 19 February 2015 are confirmed as a correct record.

132. **REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE - VJF (EI, 2 AND 3)**

The committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from VJF;
- (c) had sight of references which VJF provided in support of her case;
- (d) took the above report and all that was said by VJF into consideration.

The committee agreed that having taken the above into account to issue VJF with a warning which will remain on her file and will be brought to members' attention if she appears before this committee again.

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

133. **REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE - MH (EI, 2 AND 3)**

The committee –

- (a) considered the report from the Director of Public Health;
- (b) had sight of video footage of the incident in question;
- (c) heard from MH;
- (d) took the above report and all that was said by MH into consideration.

The committee agreed that having taken the above into account to suspend MH's Hackney Carriage licence for a period of 2 days under Section 19(1)(b) of the Plymouth City Council Act 1975. A warning has also been issued which will remain on his file indefinitely and will be brought to the committee's attention if he appears before them again.

Note – Councillor Rennie voted against this decision

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

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of the Local Government Act 1972.

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