



**Democratic and Member Support**

Chief Executive's Department  
Plymouth City Council  
Ballard House  
Plymouth PL1 3BJ

Please ask for Lynn Young  
T 01752 304163  
E [lynn.young@plymouth.gov.uk](mailto:lynn.young@plymouth.gov.uk)  
[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)  
Published 19/12/16

## **TAXI LICENSING COMMITTEE**

Thursday 5 January 2017  
10.00 am  
Council House, Plymouth

**Members:**

Councillor Kelly, Chair  
Councillor K Foster, Vice Chair  
Councillors Bowie, Carson, Mavin, Rennie and Singh.

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

For further information on webcasting, attending Council meetings and how to engage in the democratic process please follow this link <http://www.plymouth.gov.uk/accesstomeetings>

**Tracey Lee**

Chief Executive

# **Taxi Licensing Committee**

## **AGENDA**

### **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 1 December 2016.

### **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) 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.

### **7. Confidential minutes**

**(Pages 5 - 8)**

To confirm the confidential minutes of the meeting held on 1 December 2016.

**8. Application for the grant of a Private Hire Driver's Licence - (Pages 9 - 20)**  
**TW**

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

**9. Review of a Hackney Carriage Driver's Licence - AS (Pages 21 - 30)**

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

**10. Review of a Hackney Carriage Driver's Licence - FS (Pages 31 - 36)**

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

**This page is intentionally left blank**

## Taxi Licensing Committee

**Thursday 1 December 2016**

### **PRESENT:**

Councillor Kelly, in the Chair.  
Councillor K Foster, Vice Chair.  
Councillors Bowie, Carson, Rennie and Singh.  
Councillor Deacon (observer member).

Apologies for absence: Councillor Mavin.

Also in attendance: Steve Forshaw (Senior Enforcement Officer), Andrea Gilbert (Lawyer), Debbie Lazenby (Enforcement Officer) and Lynn Young (Democratic Support Officer).

The meeting started at 10.07 am and finished at 4.37 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.*

### 65. **Declarations of Interest**

In accordance with the code of conduct, the following declarations of interest were made in regard to items under consideration at this meeting –

<b>Name</b>	<b>Minute Number and Item</b>	<b>Reason</b>	<b>Interest</b>
Councillor Kelly	72 – Review of a Private Hire Vehicle Driver's Licence - TAS	Applicant's representative is known to him	Private
Councillor Singh	77 – Application for the Grant of a Private Hire Driver's Licence - DH	One of the applicant's character referees is known to him	Private

### 66. **Minutes**

Agreed the minutes of the meeting held on 3 November 2016.

### 67. **Chair's Urgent Business**

There were no items of Chair's urgent business.

### 68. **Appeal Cases**

The Committee was advised that there had been one appeal case since the last meeting. This appeal had been dismissed by the Magistrates' Court and the applicant had now lodged an appeal with the Crown Court.

### 69. **Request to depart from the Council's existing Hackney Carriage and Private Hire Licensing Policy in relation to tinted windows - AV**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from AV;
- (c) took the above report and all that was said into consideration.

Members considered AV's proposal to use a licensed executive hire vehicle which currently has additional tint to the rear and back window and have had sight of the vehicle in question.

Appendix E of Plymouth City Council's Hackney Carriage and Private Hire Policy sets out the conditions of licence and specifies that "No vehicle shall be fitted with any form of additional film to darken or tint the glass on any part of the vehicle".

Members are aware that Executive Hire vehicles are invariably restricted vehicles which are solely used for a specific section of the taxi market, as are airport transfer vehicles.

S5 (2) Plymouth City Council Act 1975 states that the Council may attach to the grant of a private hire vehicle licence such conditions as the Council considers reasonably necessary.

Having considered the report before them, inspected a vehicle with the proposed tint applied and listened to the points raised in support of this proposal, Councillors are sympathetic to AV's circumstances in that this car has been purchased with tint already applied and he now finds that he is prohibited by Plymouth Hackney Carriage and Private Hire Vehicle Licensing policy from using it in the manner which he wishes.

However they advise that they would not be prepared to depart from their current policy guidelines on this occasion because they do not believe that the majority of the points raised, including sunshine fatigue and protection of leather interior, carry a great degree of weight and in addition, they are concerned about the public safety aspect of obscuring the entire rear section of a vehicle .

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

71. **Confidential minutes**

Agreed the confidential minutes of the meeting held on 3 November 2016.

72. **Review of a Private Hire Vehicle Driver's Licence - TAS**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from TAS;
- (c) heard from TAS's representative;
- (d) took the above report and all that was said into consideration.

The Committee agreed that having taken the above into account to suspend TAS's Private Hire Vehicle Driver's Licence for a period of 14 days under Section 19(1)(b) of the Plymouth City Council Act 1975.

*Note: Councillor Bowie voted against this decision*

*(Councillor Kelly declared a private interest in this agenda item)*

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

*(Councillor Kelly left the meeting after this agenda item)*

*(Councillor Deacon left the meeting after this agenda item)*

73. **Appointment of Vice Chair**

Councillor Ken Foster acted as Chair (in Councillor Kelly's absence) and the Committee agreed to appoint Councillor Carson as Vice Chair for the remainder of the meeting.

74. **Application for the grant of a Private Hire Vehicle Driver's Licence - MPB**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from MPB;
- (c) took the above report and all that was said into consideration.

The Committee agreed that having taken the above into account to grant MPB's application for a Private Hire Vehicle Driver's Licence subject to the completion of all the prerequisites, namely the Knowledge of Plymouth test, Driving Standards test and DVLA Group 2 medical certificate and also the VRQ driver qualification in Transporting Passengers by Taxi and Private Hire or its equivalent, within the first 12 months of his licence being granted.

75. **Review of a Hackney Carriage Driver's Licence - AJW**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from AJW;
- (c) took the above report and all that was said into consideration.

The Committee agreed that having taken the above into account to revoke AJW's Hackney Carriage Driver's Licence under section 19(1)(b) of the Plymouth City Council Act 1975 as he is no longer considered to be a fit and proper person.

*Note: Councillor Rennie voted against this decision*

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

76. **Application for the grant of a Private Hire Vehicle Driver's Licence - DF**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from DF;
- (c) heard from DF's representative;
- (d) took the above report and all that was said into consideration.

The Committee agreed that having taken the above into account to grant DF's application for a Private Hire Vehicle Driver's Licence subject to him satisfactorily completing the VRQ qualification in Transporting Passengers by Taxi and Private Hire or its equivalent within the first 12 months of his licence being granted.

77. **Application for the grant of a Private Hire Driver's Licence - DH (now AD)**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from DH;
- (c) took the above report and all that was said into consideration.

The Committee agreed that having taken the above into account to grant DH's application for a Private Hire Driver's Licence subject to him satisfactorily completing the VRQ qualification in Transporting Passengers by Taxi and Private Hire or its equivalent within the first 12 months of his licence being granted.

*(Councillor Singh declared a private interest in this agenda item)*



The following relates to exempt or confidential matters (Para(s) 1, 2, 3 of Part 1, Schedule 12A of the Local Govt Act 1972). A breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

**This page is intentionally left blank**

The following relates to exempt or confidential matters (Para(s) 1, 2, 3 of Part 1, Schedule 12A of the Local Govt Act 1972). A breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

**This page is intentionally left blank**

The following relates to exempt or confidential matters (Para(s) 1, 2, 3 of Part 1, Schedule 12A of the Local Govt Act 1972). A breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

**This page is intentionally left blank**

The following relates to exempt or confidential matters (Para(s) 1, 2, 3 of Part 1, Schedule 12A of the Local Govt Act 1972). A breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

**This page is intentionally left blank**