



Democratic and Member Support

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TAXI LICENSING COMMITTEE

Thursday 30 March 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.

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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 2 March 2017.

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 - 6)

To confirm the confidential minutes of the meeting held on 2 March 2017.

8. Application for the grant of a Restricted Private Hire Driver's Licence - WG (Pages 7 - 14)

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

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Taxi Licensing Committee

Thursday 2 March 2017

PRESENT:

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

Also in attendance: Ann Gillbanks (Senior Lawyer), Debbie Lazenby (Enforcement Officer), Mark Small (Enforcement Officer) and Lynn Young (Democratic Support Officer).

The meeting started at 10.00 am and finished at 1.18 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.

98. **Declarations of Interest**

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

99. **Minutes**

Agreed the minutes of the meeting held on 2 February 2017.

100. **Chair's Urgent Business**

There were no items of Chair's urgent business.

101. **Appeal Cases**

The Committee was advised that one appeal was due to be heard this morning, however the driver had now surrendered his badges and the appeal was no longer going ahead. There were four further appeals pending, awaiting court hearing dates.

102. **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 and the letters of support attached;
- (b) heard from Mr Wildman;

- (c) heard representations from some of Mr Wildman's passengers;
- (d) took the above report and all that was said by Mr Wildman and his passengers into account;
- (e) took account of the following –
 - Mr Wildman informed Committee that he is called by four nursing homes in the Plymouth and South Hams area to transport passengers in powered wheelchairs;
 - that the vehicle is more accessible for users of electric powered wheelchairs and allows more room for manoeuvrability of the wheelchairs within the vehicle;
 - heard representations from his passengers confirming this point;
 - takes passengers from the taxi rank in addition to the work generated by bookings from regular passengers in wheelchairs;
 - will remain the proprietor of his current vehicle and the new one, and have a driver of the second vehicle who would also take wheelchair users;
 - will be purchasing an existing vehicle licence and taxi plate meaning that the current limit on vehicle numbers will be maintained.

The Committee took all of the above and the report into consideration and also considered the Council's Hackney Carriage and Private Hire Licensing Policy specifications for Hackney Carriages which states that vehicles should not exceed 5000 mm in length.

The Committee have considered the application on its own merits and in this instance are prepared 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 this report provided the vehicle also complies with all other vehicle specification and testing addendum qualifying criteria when formal application is made.

103. **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.

104. **Confidential minutes**

Agreed the confidential minutes of the meeting held on 2 February 2017.

105. **Application for the Grant of a Private Hire Driver's Licence - CB**

The Committee –

- (a) considered the report from the director of Public Health;

- (b) heard from CB;
- (c) took the above report and all that was said into consideration.

The Committee agreed that having taken the above into consideration, and having had sight of one work related reference and one reference attesting to CB's course of study of language, to depart from their guidelines and to grant CB's application for a Private Hire Driver's Licence subject to the completion of the VRQ driver qualification in Transporting Passengers by Taxi and Private Hire or equivalent within 12 months of issue of the Licence and also subject to the condition to attend a Child Sexual Exploitation and Adult Safeguarding Course within the same period although Members request that he should attend the next available Safeguarding course.

106. **Application for the Grant of a Private Hire Vehicle Driver's Licence - ILT**

The Committee –

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

The Committee agreed that having taken the above into consideration, and considered the work related reference provided, to grant the Private Hire Driver's Licence subject to the completion of the VRQ driver qualification in Transporting Passengers by Taxi and Private Hire or equivalent within 12 months of issue of the Licence and also subject to the condition to attend a Child Sexual Exploitation and Adult Safeguarding Course within the same period although Members request that he should attend the next available Safeguarding course.

(Councillor K Foster left the meeting after this agenda item)

107. **Review of a Private Hire Driver's Licence - SH**

The Committee –

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

The Committee agreed that having taken the above into consideration to revoke SH's Private Hire 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.

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

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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.

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