



Democratic and Member Support

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

Please ask for Helen Rickman
T 01752 398444
E helen.rickman@plymouth.gov.uk
www.plymouth.gov.uk/democracy
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TAXI LICENSING COMMITTEE

Thursday 26 October 2017
10.00 am
Council House, Plymouth

Members:

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

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 - 6)

To confirm the minutes of the meeting held on 28 September 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 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 7 - 14)

To confirm the confidential minutes of the meeting held on 28 September 2017.

8. Application for the Grant of a Hackney Carriage Driver Licence - SA (Pages 15 - 24)

The Director of Public Health will submit a report on the application for the grant of a Hackney Carriage Driver Licence.

9. Review Status of Private Hire Vehicle Driver Licence - RK (Pages 25 - 34)

The Director of Public Health will submit a report on the review status of a Private Hire Vehicle Driver Licence.

10. Review Status of Private Hire Vehicle Driver Licence - JCHL (Pages 35 - 40)

The Director of Public Health will submit a report on the review status of a Private Hire Vehicle Driver Licence.

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Taxi Licensing Committee

Thursday 28 September 2017

PRESENT:

Councillor Kelly, in the Chair.
Councillor K Foster, Vice Chair.
Councillors Bowie, Deacon, Morris (substitute for Councillor Mavin) and Rennie.

Apologies for absence: Councillors Carson and Mavin.

Also in attendance: Andrew Gilbert (Lawyer), Steve Forshaw (Senior Enforcement Officer), Graham Hooper (Senior Officer – Intelligence & Licensing), Amelia Boulter (Democratic Advisor) and Helen Rickman (Democratic Advisor).

The meeting started at 10.00 am and finished at 5.11 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.

34. **Declarations of Interest**

Councillor Rennie declared a personal interest in minute 44 and advised that he would leave the room when this matter was being considered.

35. **Minutes**

The committee agreed that the minutes of the meeting held on 17 August 2017 are confirmed as a correct record.

36. **Chair's Urgent Business**

There were no items of Chair's urgent business.

37. **Appeal Cases**

The committee was advised that there were no new appeals.

38. **Increase of Hackney Carriage Table of Fares**

The Committee considered

- (a) the report from the Director of Public Health and proposed table of fares shown at Appendix I;
- (b) the three representations which had been received in objection to the advertised increase in the table of fares;

- (c) took the above report and all that was said into consideration;

The Committee noted

- (d) further comments from objectors received after the publication of the report that it was considered that the Plymouth Licensed Taxi Association had not consulted with all of its members; that a fare increase would be detrimental to the trade; that there was strong opposition to the increase and that it would be preferable to see an increase in passengers;
- (e) that the Licensing officers had sent individual consultation letters to all drivers and vehicle proprietors;
- (f) that since the publication of the report presented to this Committee the Plymouth Licensed Taxi Association had indicated that they would not object to a change in the tariff to bring the daily start time back to 6am;
- (g) that the Licensing officer has been unable to obtain data regarding the number of care workers likely to be using the taxi service at 6am and 7am but no evidence had been available;
- (h) that there was no evidence of unmet demand between the hour of 6am to 7am;

The Committee considered that the use of the word “morons” in objection number 1 was not appropriate and disregarded this description of the Plymouth Licensed Taxi Association in making their decision.

The Committee were concerned that the proposed change would have an impact upon care workers who are often in receipt of minimum/low wage and that an increase for them would impact upon the charges being made to the people receiving their care.

The Committee agreed that it would be reasonable to be able to support the trade and also the travelling community that the tariffs shown in the table attached to the report would be set as follows:

- Tariff 1 Applies on Monday to Saturday from 6am to 7pm
- Tariff 2 Applies on Monday to Saturday from 7pm to Midnight, and Sundays/Bank Holidays from 6am to 7pm
- Tariff 3 Applies on Monday to Sunday from Midnight to 6am and Sundays/Bank Holidays from 7pm to Midnight
- Tariff 4 as advertised
- Tariff 5 as advertised

The Committee further agreed that all the remaining charges shown in the table of fares attached to the report would remain as shown and that the start date for the introduction of the new fare structure would be 16 October 2017

39. **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 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

40. **Confidential minutes**

Agreed the confidential minutes of the meeting held on 17 August 2017.

41. **Application for the Grant of a Private Hire Vehicle Driver Licence - JGM**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from JGM;
- (c) noted that JGM had completed both the VRQ in Transporting Passengers by Taxi and Private Hire and the Child Sexual Exploitation Awareness Course;
- (d) took account the above report and all that was said into consideration.

The Committee agreed to act outside of its policy and grant JGM's application for a private hire driver's licence and:

- (e) exempt JGM from providing a further medical certificate confirming that they are fit to Group II medical standards due to the recent completion of the original;
- (f) exempt JGM from undertaking the knowledge of Plymouth test in view of the short time since JGM had been operating as a taxi driver;
- (g) require that JGM undertakes the Driving Standards test.

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

42. **Application for the Grant of a Private Hire Vehicle Driver Licence - PG**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from PG;

- (c) noted that PG had completed the VRQ in Transporting Passengers by Taxi and Private Hire;
- (d) took account the above report and all that was said into consideration.

The Committee agreed that the application for a private hire driver's licence will be granted subject to the conditions that PG complete the Child Sexual Exploitation Awareness Course within the first 12 months of being licensed, however it is requested that PG attend the next available course. The Committee further agreed to act outside its policy and exempt PG from the Knowledge of Plymouth Test, the Driving Standards Test and the Group II Medical Standards Certificate due to the circumstances of the lapse of PG's licence.

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

43. **Application for the Grant of a Private Hire Driver Licence - JJ**

The Committee –

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

The Committee agreed that the application for a Private Hire Driver's Licence is granted subject to the conditions that JJ complete the Driving Standards Test and the Group II Medical Standards Certificate. In accordance with the grant of all new licences JJ is required to complete the VRQ in Transporting Passengers by Taxi and Private Hire or equivalent within the next 12 months of the grant of the licence. JJ is also required to attend a Child Sexual Exploitation Awareness Course within the next 12 months following the grant of the licence however it is requested that JJ attend the next available course.

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

44. **Review Status of Hackney Carriage Driver Licence - AM**

The Committee –

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

The Committee agreed that AM's licence is suspended for three days in accordance with Section 19(1) (a) of the Plymouth City Council Act 1975 and he will also be issued with a severe warning which will lie on his file indefinitely and will be brought to the attention of the Committee in the event of any further offences.

(Councillor Rennie declared an interest and left the meeting for this item).

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

45. **Review Status of Private Hire Vehicle Driver Licence - RK**

The Committee agreed to adjourn the review of RK's Private Hire Driver Licence until the next scheduled meeting.

(Councillor K Foster was absent for this item)

(Councillor Rennie joined the meeting for this item and for the duration of the committee)

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

46. **Review Status of Hackney Carriage Driver Licence - CP**

The Committee –

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

The Committee agreed that CP's licence is suspended for 14 days in accordance with Section 19(1) (a) of the Plymouth City Council Act 1975. Members also agreed that CP resits the driving standards test at the next available opportunity (however he will be required to sit this by 27 March 2018) and that CP undertakes the Child Sexual Exploitation Safeguarding Awareness course within 12 months although they request that he attends the next available course.

(Councillor K Foster absent for this item)

(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, 5 of Part 1, Schedule 12A of the Local Govt Act 1972). Any 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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