

Taxi Licensing Committee

Thursday 15 February 2018

PRESENT:

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

Also in attendance: Catherine Fox (Lawyer), Steve Forshaw (Licensing) and Jamie Sheldon (Democratic Advisor).

The meeting started at 10.00 am and finished at 5.30 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.

80. **Declarations of Interest**

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

81. **Minutes**

Agreed of the minutes of the meeting held on 21 December 2017 subject to the following changes:

Minute 78 Application for the Grant of the Hackney Carriage Licence – JCHL:
The committee considered the application on its own merits and in this instance agreed that JCHL was not considered to be a fit and proper person to drive a Hackney Carriage and have elected to revoke his licence in accordance with S.19(1)(a) of the Plymouth City Council act 1975.

Minute 79 Review status of a Private Hire Driver Licence – IS:
The committee has a duty to ensure the safety and wellbeing of potential passengers and members of the public therefore, after considering all other sanctions the committee has agreed to suspend IS for a consecutive period of three days and for a warning to be put on his file.

82. **Chair's Urgent Business**

There were no items of Chair's Urgent Business.

83. **Appeal Cases**

There were no appeal cases for the Committee to be updated upon.

84. **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.

85. **Confidential Minutes**

Agreed the confidential minutes of the meeting held on 21 December 2017.

86. **Review Status of a Private Hire Driver Licence - FCG**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from FCG;
- (c) took into account the above report and all that was said into consideration and also considered the Council's Hackney Carriage and Private Hire Licensing Policy.

The Committee considered the review on its own merits and in this instance after considering all other sanctions the Committee has Agreed to find that FGC is no longer fit and proper to drive a hackney carriage and have elected to revoke his licence in accordance with s.19 (1) (b) Plymouth City Council Act 1975 (for any other reasonable cause)

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

87. **Review Status of a Hackney Carriage Driver Licence - MP**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from MP and read the various references and written submission he produced at the hearing
- (c) noted that MP -
 - had been a licensed driver for 18 years and had an unblemished record;
 - he had attended the Child Sexual Exploitation and Safeguarding Course organized by Plymouth City Council as he needed to complete it in order to obtain a school run contract;

MP had apologised to the Committee;

- (d) took into account the above report and all that was said into consideration and

also considered the Council's Hackney Carriage and Private Hire Licensing Policy.

The Committee has considered the review on its own merits and in this instance in accordance with S19(1)(a) Plymouth City Council Act 1975, has agreed to suspend MP's Hackney Carriage Driver's Licence for a consecutive period of 28 days.

Councillors Mavin and Bowie dissented from this decision.

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

88. **Review Status of a Private Hire Driver Licence - DJL**

The Committee in the first instance considered whether or not to proceed with the review of DJL's Private Hire Drivers Licence having considered his initial submission to adjourn. The Committee concluded that the review should proceed given the nature of the offences alleged and the risks to the safety of members of the public that they might pose.

The Committee

- (a) considered the report from the Director of Public Health;
- (b) heard from DJL
- (c) took into account the above report and all that was said into consideration and also considered the Council's Hackney Carriage and Private Hire Licensing Policy.

The Committee has considered the review on its own merits and in this instance after considering all other sanctions agreed to find that DJL is no longer fit and proper to drive a Private Hire Vehicle and have elected to revoke his licence in accordance with s.19 (1) (b) Plymouth City Council Act 1975 (for any other reasonable cause).

The Committee directed the officers that, should the allegations against DJL be withdrawn, they could on receipt of an application for a further Private Hire Vehicle Driver's Licence from DJL, grant the same to him without the need for the normal pre-requisites to be satisfied, provided that they are satisfied that the public would not be at harm by that action.

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

89. **Review Status of a Private Hire Driver Licence - PSB**

This review was withdrawn.

90. **Application for the Grant of a Private Hire Vehicle Driver Licence - SAS**

The Committee –

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

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. The Committee has considered the application on its own merits and in this instance

The Committee on this occasion was not satisfied that it had received sufficient evidence as to the suitability of SAS to enable it to deviate from its policy. It therefore agreed that the application should not be granted.

The Committee indicated to SAS that if he were to take the necessary steps as listed within the Home Office Guidance and provide a copy of the letter and documents sent, and a reference they would be more than happy to consider any further application submitted.