



Democratic and Member Support

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TAXI LICENSING COMMITTEE

Thursday 15 February 2018

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 - 8)

To confirm the minutes of the meetings held on 8 December 2017 and 21 December 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 9 - 22)

To confirm the confidential minutes of the meetings held on 8 December 2017 and 21 December 2017.

8. Review Status of a Private Hire Driver Licence - FCG (Pages 23 - 34)

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

9. Review Status of a Hackney Carriage Driver Licence - MP (Pages 35 - 44)

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

10. Review Status of a Private Hire Driver Licence - DJL (Pages 45 - 52)

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

Lunch 1-2pm

11. Review Status of a Private Hire Driver Licence - PSB (Pages 53 - 60)

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

12. Application for the Grant of a Private Hire Vehicle Driver Licence - SAS (Pages 61 - 68)

The Director of Public Health will submit a report on the application for the grant of a Private Hire Vehicle Driver Licence.

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Taxi Licensing Committee**Friday 8 December 2017****PRESENT:**

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

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

The meeting started at 10.00 am and finished at 1.35 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.

64. Declarations of Interest

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

65. Minutes

Agreed the minutes of 23 November 2017 as a true and accurate record of the meeting.

66. Chair's Urgent Business

There were no items of Chair's Urgent Business.

67. Appeal Cases

The Committee received updates on appeal cases.

68. 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.

69. Review Status of Hackney Carriage Driver Licence A.J.A

The Committee:

- (a) considered the report from the Director of Public Health;
- (b) heard from A.J.A and his legal representative.

The Committee have concerns for the wellbeing of potential passengers, considering the offence A.J.A is being investigated for.

Having considered all other sanctions the Committee have Agreed that A.J.A is no longer fit and proper to drive a hackney carriage and have elected to revoke A.J.A's licence in accordance with s.19 (1) (b) Plymouth City Council Act 1975 for any other reasonable cause.

(Councillors Foster, Carson and Rennie asked for their vote in opposition of this decision to be recorded)

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

Taxi Licensing Committee

Thursday 21 December 2017

PRESENT:

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

Apologies for absence: Councillors Bowie and Mavin.

Also in attendance: Catherine Fox (Lawyer), Deborah Lazenby (Enforcement Officer) and Helen Rickman (Democratic Advisor).

The meeting started at 10.00 am and finished at 3.30 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.

70. **Declarations of Interest**

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

71. **Chair's Urgent Business**

There were no items of Chair's Urgent Business.

72. **Appeal Cases**

The Committee received updates on appeal cases.

73. **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 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

74. **Application for the Grant of a Restricted Private Hire Vehicle Driver Licence - IFR**

The Committee –

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

- (c) noted that IFR had produced a satisfactory medical certificate stating that he satisfies the DVSA Group 2 medical standards of fitness to drive and that he had been SIA accredited for a number of years;
- (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 considered the application on its own merits and agreed to grant IFR's application for a restricted private hire vehicle driver's licence subject to:

- (1) IFR passing his driving standards test;
- (2) IFR attending, within 12 months of any licence being issued, the Child Sexual Exploitation Course (he is requested to attend the next available course);
- (3) IFR attending, within 12 months of any licence being issued, the VRQ driver qualification in 'Transporting Passengers by Taxi and Private Hire' or equivalent.

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

75. **Application for the Grant of a Hackney Carriage Driver Licence - LAF**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from LAF;
- (c) noted that LAF had produced a satisfactory medical certificate stating that he satisfies the DVSA Group 2 medical standards of fitness to drive and that LAF had previously been a licensed Hackney Carriage Driver in Plymouth;
- (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 considered the application on its own merits and took the view that LAF did not pose a danger to the public and agreed to grant LAF's application for a Hackney Carriage driver licence subject to:

- (1) LAF completing the driving standards test;
- (2) LAF completing the topographical knowledge of Plymouth test;
- (3) LAF producing his medical certificate;
- (4) LAF, within 12 months of any licence being issued, attending the Child Sexual Exploitation Course (he is requested to attend the next available course);

- (5) LAF, within 12 months of any licence being issued, undertaking the VRQ driver qualification in 'Transporting Passengers by Taxi and Private Hire'

(Councillors Rennie and Deacon requested that their dissenting vote is recorded in the minutes)

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

76. **Application for the Grant of a Private Hire Driver Licence - GE**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from GE;
- (c) noted that GE was unable to supply a certificate of good conduct however had provided character references;
- (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 considered the application on its own merits and in this instance agreed to act outside of its policy with regards to requiring a Certificate of Good Conduct and grant GE's application for a Private Hire Vehicle Driver's Licence subject to:

- (1) GE completing the driving standards test, the topographical knowledge of Plymouth test and providing a medical certificate;
- (2) GE, within 12 months of any licence being issued, attending the Child Sexual Exploitation Course (he is requested to attend the next available course);
- (3) GE, within 12 months of any licence being issued, undertaking the VRQ driver qualification in 'Transporting Passengers by Taxi and Private Hire'.

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

77. **Application for the Grant of a Private Hire Driver Licence - AP**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from AP and his representative from Taxi First;
- (c) noted that, since the publication of the agenda paperwork, AP had produced a satisfactory medical certificate stating that he satisfies the DVSA Group 2 medical standards of fitness to drive and had also passed his driving standards

test;

- (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 considered the application on its own merits and in this instance agreed that AP was not considered to be a fit and proper person and therefore his application for a private hire driver's licence would be refused in accordance with Section 9(1)(a) of the Plymouth City Council Act 1975.

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

78. **Review Status of Private Hire Driver Licence - JCHL**

The Committee heard that JCHL had been served with the notice of hearing and a copy of the report from the Director of Public Health whilst in prison and had been provided with the opportunity to make written submissions which had been received. The Committee resolved to proceed with today's hearing in his absence.

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) noted the written statement supplied by JCHL contained within the report;
- (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 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.

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

79. **Review status of a Private Hire Driver Licence - IS**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from IS and his daughter;
- (c) noted that IS had failed to notify the Licensing office of two previous driving offences in 2012 in accordance with the conditions of his licence;
- (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 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 JCHL for a consecutive period of 3 days and for a warning to be put on his file.

(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 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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