

Taxi Licensing Committee

Thursday 15 March 2018

PRESENT:

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

Also in attendance: Steve Forshaw (Senior Enforcement Officer), Andrea Gilbert (Lawyer) and Helen Rickman (Democratic Adviser).

The meeting started at 10.00 am and finished at 4.20 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.

91. **Declarations of Interest**

Councillor Rennie declared a personal interest in minute 97 and advised that he would leave the room when this matter was being considered.

92. **Minutes**

Agreed of the minutes of the meeting held on 15 February 2018.

93. **Chair's Urgent Business**

There were no items of Chair's Urgent Business.

94. **Appeal Cases**

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

95. **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.

96. **Confidential Minutes**

Agreed the confidential minutes of the meeting held on 15 February 2018.

97. **Application for the Grant of a Restricted Private Hire Vehicle Driver Licence - GTH**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from GTH;
- (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 agreed to grant GTH's application for a restricted private hire vehicle driver's licence subject to:

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

(Councillor Rennie was not present for this item due to declaring an interest)

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

98. **Application for the Grant of a Private Hire Vehicle Driver Licence - ACM**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from ACM;
- (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 to act outside of its policy and exempt ACM from sitting the Topographical Knowledge of Plymouth test and the Driving Standards Test and grant ACM's application for a Private Hire Vehicle Driver's Licence subject to:

- (1) ACM providing a medical certificate confirming he is fit to group II medical standards in line with all new applicants;

- (2) ACM attending, within 12 months of any licence being issued, the Child Sexual Exploitation and Adult Safeguarding Course (he is requested to attend the next available course);
- (3) ACM 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)

99. **Application for the Grant of a Private Hire Vehicle Driver Licence - CGL**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from CGL;
- (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 to grant CGL's application for a Private Hire Vehicle Driver's Licence subject to:

- (1) CGL completing the Topographical Knowledge of Plymouth test and the Group II medical fitness standards check;
- (2) CGL attending, within 12 months of any licence being issued, the Child Sexual Exploitation and Adult Safeguarding Course (he is requested to attend the next available course);
- (3) CGL 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)

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

Members were advised that RK was not in attendance at today's Committee and that he had not contacted the Licensing Office to explain his non-attendance. When RK was invited to attend this Committee he was advised that the review could be considered in his absence and all relevant sanctions considered. In view of this and RK's history of failure to engage with the Licensing Department, together with concerns for public safety, Members elected to hear this matter in his absence.

The Committee –

- (a) considered the report from the Director of Public Health as read out by the Licensing Officer;

- (b) 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 have taken into account that:-

It is a requirement of Plymouth City Council under the Plymouth City Council Act 1975 and the Taxi Licensing Policy that drivers licensed to drive passengers must be able to drive to a set standard in order to be considered a safe and competent driver and therefore a fit and proper person.

In the light of the above concerns, which are relevant under the Council's licensing objectives of safety and health of drivers and the public and the prevention of crime and disorder and protection of consumers, and after considering all available sanctions, the Committee agreed to find that RK is no longer a fit and proper person to hold a private hire drivers licence and have revoked RK's licence.

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

101. **Review Status of Private Hire Vehicle Driver Licence - MC**

The Committee was advised that MC was not in attendance at the meeting however a request from his solicitor to adjourn the meeting had been received. Members elected to consider the review of MC's Private Hire Vehicle Driver's Licence in his absence.

The Committee -

- (a) considered the report from the Director of Public Health as read out by the Licensing Officer;
- (b) 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, having considered all available sanctions, Members consider that it would be a proportionate and appropriate sanction for MC's Private Hire Driver's Licence to be revoked under s.19 PCCA 1975 as MC is clearly failing to deliver a safe environment for his passengers.

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

102. **Review Status of Private Hire Vehicle Driver Licence - PMI**

The Committee –

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

- (c) acknowledged that PMI had passed the NVQ driver qualification in Transporting Passengers by Taxi and Private Hire;
- (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 suspend PMI for a consecutive period of 14 days.

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