



Democratic and Member Support

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TAXI LICENSING COMMITTEE

Thursday 7 June 2018

10.00 am

Council House, Plymouth

Members:

Councillor Mavin, Chair

Councillor Singh, Vice Chair

Councillors Mrs Bridgeman, Buchan, Jordan, Mrs Pengelly 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. To Note the appointment of Chair and Vice Chair.

The Committee will be asked to note the appointment of the Chair and Vice Chair for the municipal year 2018 - 2019.

2. Apologies

To receive apologies for non-attendance submitted by Committee Members.

3. Declarations of Interest

Members will be asked to make any declarations of interest in respect of items on this agenda.

4. Minutes

(Pages 1 - 6)

To confirm the minutes of the meeting held on 19 April 2018.

5. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

6. Appeal Cases

The Committee will be provided with the results of the judgement on appeal cases that went to Court.

7. 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.

8. Confidential Minutes (Pages 7 - 12)

To confirm the confidential minutes of the meeting held on 19 April 2018.

9. Application for the Grant of a Private Hire Vehicle Driver Licence - GS (Pages 13 - 20)

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

10. Review Status of Hackney Carriage Driver Licence - JFF (Pages 21 - 26)

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

11. Application for the Grant of a Private Hire Vehicle Driver - JC (Pages 27 - 32)

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

12. Application for the Grant of a Hackney Carriage Driver Licence - KA (Pages 33 - 38)

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

Lunch 1-2pm

13. Application for the Grant of a Private Hire Vehicle Driver Licence - MK (Pages 39 - 44)

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

14. Review Status of Private Hire Vehicle Driver Licence - NJR (Pages 45 - 54)

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

15. Review Status of Hackney Carriage Driver Licence - KA (Pages 55 - 70)

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

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Taxi Licensing Committee**Thursday 19 April 2018****PRESENT:**

Councillor Foster, in the Chair.

Councillor Carson, Vice Chair.

Councillors Mrs Aspinall, Mrs Bridgeman, Mavin and Rennie.

Apologies for absence: Councillors Deacon, Cllr Kelly(Cllr Bridgeman substituting) and Cllr Bowie (Cllr Aspinall substituting).

Also in attendance: Sharon Day (Legal), Steve Forshaw (Licensing), Deborah Lazenby (Licensing) and Jamie Sheldon (Democratic Advisor).

The meeting started at 10.00 am and finished at 5.20 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.

1. Declarations of Interest

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

2. Chair's Urgent Business

There were no items of Chair's Urgent Business.

3. Appeal Cases

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

4. Minutes

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

5. 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.

6. Confidential Minutes

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

7. **Application for the Grant of a Hackney Carriage Driver Licence - SI**

The committee:

1. Considered the report from the Director of Public Health
2. Heard from S.I
3. Took in account the content of the report and all that was said by S.I

Agreed to grant S.I a Hackney Carriage driver's licence subject to him first successfully completing the driving standards test, knowledge of Plymouth test and producing a medical certificate confirming he satisfies DVSDA Group 2 medical standards for fitness to drive. In addition he is required to successfully complete the VRQ in transporting passengers by taxi and private hire (or equivalent) within the first 12 months of being licensed. S.I is also required to attend the Safeguarding course within the same period although it is requested that he attend the next available course

8. **Application for the Grant of a Private Hire Vehicle Driver Licence - MG**

The committee:

1. Considered the report from the Director of Public Health
2. Heard from M.G
3. Took the content of the report and all they heard from M.G into account
4. Agreed to grant M.G a Private Hire Driver's Licence subject to him first successfully completing the driving standards test and producing a medical certificate to confirming he satisfies DVSDA Group 2 medical standards for fitness to drive. The grant is subject to a condition that M.G successfully complete the VRQ in transporting passengers by taxi and private hire (or equivalent) within the first 12 months of being licensed unless M.G has already completed this course in which case he must produce the certificate confirming the same within the next 6 months

Committee agreed to act outside their policy and do not require M.G to complete the Knowledge of Plymouth test given the length of time he had previously been a licensed driver.

(Cllr Ken Foster left after this item)

(The Committee appointed Cllr Carson as Chair and Cllr Bridgeman as Vice Chair)

9. **Application for the Grant of a Private Hire Driver Licence - PP**

The committee:

1. Considered the report from the Director of Public Health
2. Heard from P.P
3. Heard from Mr I and Mr M of Need-a-cab in support of P.P
4. Took account of what was said by P.P, Mr I and Mr M

Agreed to grant P.P a Private Hire Driver's licence subject to him first successfully completing the driving standards test, knowledge of Plymouth test and producing a medical certificate confirming he satisfies DVSDA Group 2 medical standards for fitness to drive. In addition he is required to successfully complete the VRQ in transporting passengers by taxi and private hire (or equivalent) within the first 12 months of being licensed. P.P is also required to attend the Safeguarding course within the same period although it is requested that he attend the next available course

10. **Review Status of Private Hire Vehicle Driver Licence - FU**

The committee:

1. Considered the report from the Director of Public Health
2. Heard from F.U:
3. Took the following into account and all that F.U said:
4. Found that F.U's driving record was a cause for concern. Of particular note was the fact that he contravened a red traffic light signal at a pedestrian crossing which raised serious concerns for public safety as there was a risk to life from this incident. F.U's driving record demonstrated a standard of driving that was below that which was expected of a taxi driver. It was particularly concerning that he viewed points on his licence as an occupational hazard.

In addition to the above F.U's had failed to report three traffic endorsements in accordance with his conditions of licence. In particular he had failed to report the 8 November 2017 endorsement despite having received a warning about failing to report in March 2017. The committee felt that this showed a reluctance to work with the licensing authority.

Agreed that in light of concerns about F.U'S driving record and failing to comply with conditions of licence, both of which were relevant to the Council's Licensing objectives of safety and health of drivers and the public, the committee considered that it was proportionate to suspend F.U's Private Hire Driver's licence for a period of 21 consecutive days in accordance with Section 19(1)(b) of the Plymouth City Council Act 1975. In addition, F.U is required to re take his Driving Standards Test within 3 months.

A certificate showing that he has passed this test must be produced within the same period, if the certificate is not produced F.U will be required to appear before the committee again.

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

11. **Review Status of Private Hire Vehicle Driver Licence - MM**

The committee:

1. Considered the report from the Director of Public Health
2. Heard from M.M(supported by Mr B):
3. Took into account all that was said by M.M:

Agreed that in light of the concerns about M.M's driving standards and failing to comply with conditions of licence, both of which were relevant to the Council's licensing objectives of safety and health of drivers and public and prevention of crime and disorder and protection of consumers it was proportionate to suspend both M.M's Hackney Carriage and Private Hire driver's licences for a total of 7 consecutive days in accordance with Section 19(1)(b) of the Plymouth City Council Act 1975.

(Cllr Bridgeman left after this item)

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

12. **Review Status of Hackney Carriage Driver Licence - KA**

The committee:

1. Considered the report from the Director of Public Health
2. Heard from K.A that he denied all of the complaints made against him. In relation to one of the complaints he stated he wasn't working on the date in question however he didn't have the relevant information with him at the committee hearing to be able to substantiate this.

Agreed to adjourn the hearing until the next committee to give the opportunity to produce the relevant documentation.

(Cllr Mavin left after this item)

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

13. **Review Status of Hackney Carriage Driver Licence - JA**

The committee:

1. Considered the report from the Director of Public Health
2. Heard from J.A:
3. Took the following into account all that J.A said.
4. Agreed that in light of the above concerns about lack of knowledge of and breach of the Hackney Carriage byelaws, both of which are relevant to the Council's licensing objective of preventing crime and disorder and protecting consumers, it was considered proportionate to suspend J.A's licence for 7 consecutive days in accordance with section 19(1)(b) of the Plymouth City Council Act 1975.

(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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