



Oversight and Governance

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TAXI LICENSING COMMITTEE

Thursday 2 August 2018
9.00 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. 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 - 4)

To confirm the minutes of the meeting held on 5 July 2018.

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 5 - 14)

To confirm the confidential minutes of the meeting held on 5 July 2018.

8. Application for the Grant of a Private Hire Vehicle Driver Licence - ZO (Pages 15 - 26)

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

9. Review Status of Hackney Carriage Driver Licence - LH (Pages 27 - 40)

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

10. Review Status of Hackney Carriage Driver Licence - SB (Pages 41 - 64)

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

11. Lunch 1-2pm:

12. Review Status of Private Hire Vehicle Driver Licence - SF (Pages 65 - 80)

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

13. Review Status of Private Hire Vehicle Driver Licence - GT (Pages 81 - 92)

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 5 July 2018

PRESENT:

Councillor Mavin, in the Chair.

Councillor Singh, Vice Chair.

Councillors Carson (substitute for Councillor Mrs Bridgeman), Corvid (substitute for Councillor Buchan), Dreaan (substitute for Councillor Mrs Pengelly), Jordan and Rennie.

Apologies for absence: Councillors Mrs Bridgeman, Buchan and Mrs Pengelly.

Also in attendance: Catherine Fox (Lawyer), Steve Forshaw (Senior Enforcement Officer), Mark Small (Enforcement Officer) and Helen Rickman (Democratic Advisor).

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.

28. **Declarations of Interest**

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

29. **Minutes**

Agreed the minutes of the meeting held on 7 June 2018.

30. **Chair's Urgent Business**

There were no items of Chair's Urgent Business.

31. **Appeal Cases**

Members were advised that one appeal was currently being processed.

32. **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.

33. **Confidential Minutes**

Agreed the confidential minutes of the meeting held on 7 June 2018.

34. **Review Status of Hackney Carriage Driver Licence - RLP**

The Committee –

- (a) considered and took into account the report from the Director of Public Health;
- (b) heard from RLP;
- (c) have taken into account that RLP had been a licensed driver for 30 years and had an unblemished record and that he apologised to Committee for his actions;
- (d) took into account the above report and all that was said and also considered the Council's Hackney Carriage and Private Hire Licensing Policy.

The Committee considered the review on its own merits and resolved to give RLP the benefit of the doubt on this occasion and in this instance has agreed to place a warning on RLP's file that should he appear before Committee in the future for consideration of any matter whether offences, misdemeanours, complaints the issues considered today will be reconsidered. RLP is also required to undertake the following courses on the first available date:

- (1) Safeguarding Course;
- (2) Ambassadors Course.

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

35. **Review Status of Private Hire Vehicle Driver Licence - SPF**

The Committee heard that the Licensing Officer had telephoned SPF to confirm his attendance at this meeting. SPF had stated he was unaware of the Committee and stated he had not received any letter or report and that he was not able to attend.

The Committee agreed to give SPF the benefit of the doubt on this occasion and agreed to adjourn this matter until the next available Committee meeting. The Committee asked the Licensing Officer to hand deliver the letter advising of the Committee Meeting and enclosing the report to SPF's home address. The covering letter is to make it clear that should SPF not attend at this adjourned hearing the Committee will proceed to hear the review in his absence.

36. **Review Status of Hackney Carriage Driver Licence - SB**

The Committee heard that the wife of SB had telephoned the Licensing Officer and advised that his notice of hearing and the accompanying report had been received that day. SB had left the country day before to attend to an urgent family matter and she had opened the letter. She had informed him of its contents. SB was due to be away for the next 2 to 3 weeks.

The Committee agreed to give SB the benefit of the doubt on this occasion and agreed to adjourn this matter until the next available Committee meeting. The Committee will expect the review to proceed at this next hearing and request that the letter of invitation makes it clear that the hearing will proceed in his absence.

37. **Application for Medical Exemption of Hackney Carriage Driver Licence - DMP**

The Committee-

- (a) considered the report from the Director of Public Health;
- (b) heard from DMP;
- (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 application on its own merits and in this instance determined to grant DMP's application for a Medical Exemption Certificate for a period of 12 months only. As the diagnosed condition is prone to deterioration over time, the Committee was not prepared to grant an Exemption Certificate for more than 12 months. It would need to see a more detailed and specialised report to consider an Exemption Certificate for a longer period.

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

38. **Application for the Grant of a Private Hire Vehicle Driver Licence - SS**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from SS;
- (c) took all of the above and the report into consideration and also considered the Council's Hackney Carriage and Private Hire Licensing Policy and in particular its Guidance on Relevance of Convictions and Conduct.

The Committee considered the application on its own merits and in this instance is prepared to grant the application subject to SS passing all necessary pre requisites (Driving Standards Test, Knowledge of Plymouth, producing satisfactory medical certificate) and to SS completing the following courses:

1. Ambassadors Course – within 12 months;
2. NVQ Passenger Transport - within 12 months;
3. Safeguarding course – to attend the first available course

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

39. **Application for the Grant of a Private Hire Vehicle Driver Licence - BG**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from BG;
- (c) 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 does not feel it has sufficient information before it to enable it to act outside of its policy and grant the application today. It is therefore adjourning the application to a later Committee date with a request that the following information is obtained and action taken:

- 1. the applicant to obtain employer references from his current employer and as many of his previous employers as he is able.
- 2. a Licensing Officer is to write a letter to the Eritrean Embassy in generic terms asking:
 - a. is it possible for a former Eritrean national who left the country illegally as a refugee and who claimed political asylum and is now a UK national, to obtain a Certificate of Good Conduct?
 - b. if the answer to the above is yes what is the process by which to do so?;
 - c. is an Eritrean native who is now a UK citizen still liable for the 2% tax and if so the period over which this tax would be payable given that they have been working here since 2008

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

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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