



**Oversight and Governance**

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## TAXI LICENSING COMMITTEE

Thursday 26 September 2019  
10.00 am  
Council House, Plymouth

**Members:**

Councillor Mavin, Chair  
Councillor Corvid, Vice Chair  
Councillors Mrs Aspinall, Mrs Bridgeman, Mrs Pengelly, Rennie and Riley.

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 29 August 2019.

### 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 the 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 times 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 29 August 2019.

**8. Application for the Grant of a Private Hire Driver's Licence (Pages 15 - 28)**

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

**9. Application for the Grant of a Private Hire Vehicle Driver's Licence (Pages 29 - 36)**

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

**10. Review Status of Private Hire Driver Licence (Pages 37 - 54)**

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

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## Taxi Licensing Committee

Thursday 29 August 2019

### PRESENT:

Councillor Mavin, in the Chair.  
Councillor Corvid, Vice Chair.  
Councillors Mrs Bridgeman, Rennie, Riley and Singh.

Apologies for absence: Councillor Mrs Pengelly.

Also in attendance: Sharon Day (Lawyer), Steve Forshaw (Senior Enforcement Officer) and Helen Rickman (Democratic Advisor).

The meeting started at 10.00 am and finished at 2.10 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.*

### 33. Declarations of Interest

The following declaration of interest was made in accordance with the code of conduct:

Name	Item	Reason	Interest
Councillor Rennie	Review Status of Private Hire Driver Licence (Minute 41)	The driver was known to him from a childhood association.	Personal

### 34. Minutes - (to follow)

The Committee agreed that the minutes of the meeting held on 1 August 2019 were confirmed as a correct record.

### 35. Chair's Urgent Business

Under this item Councillor Mrs Bridgeman highlighted that she had been contacted and asked to raise a potential issue with licensed drivers being 'forced' to wear lanyards and the health and safety impact this could have if they had a collision.

In response it was clarified that licensed drivers were required to wear their badges – the badge holders were designed in such a way that they would break or snap.

It was agreed that Steve Forshaw (Senior Enforcement Officer) would provide a direct response to the questioner.

### 36. Appeal Cases

The Committee was advised that one driver had tried to appeal the committee's decision however his appeal was out of time, therefore the court dismissed the application.

### 37. Exempt Information

Agreed that under Section 100A(4) of the Local Government Act 1927, 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 paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act, 2000.

38. **Confidential Minutes - (to follow)**

The Committee agreed the confidential minutes of the meeting held on 1 August 2019.

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

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from the applicant;
- (c) took the report and all that was said by the applicant into account.

The Committee agreed to act outside of its policy and consider the application without a certificate of good conduct because the applicant had been resident in this country for 20 years which was the majority of their adult life, had no convictions or driving endorsements recorded against them during that time and had spent the last 16 years in a responsible position doing a difficult job.

The Committee agreed to grant the application for a private hire drivers licence subject to the applicant completing the VRQ in transporting passengers by taxi and private hire (or equivalent) within the first 12 months of being licensed and to complete the Plymouth Ambassadors course within the same time period.

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

40. **Application for the Grant of a Private Hire Vehicle Driver Licence**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from the applicant;
- (c) took the report and all that was said by the applicant into account.

The committee agreed that the matter would be adjourned to the next committee to give the applicant the opportunity to provide references in support of their application.

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

41. **Review Status of Private Hire Driver Licence**

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from the driver and the driver's partner;

(c) took the report and all that was said by the driver into account.

The Committee considered that if the driver continued as a private hire driver then they would pose a risk to the public. This was relevant to the Council's licensing objectives of:

- safety and health of drivers and the public;
- prevention of crime and disorder and protection of consumers;
- protection of children and other vulnerable persons from harm;

The driver's actions undermined public confidence in the licensed trade and the qualities demonstrated were not conducive to those required to be a professional driver;

A further suspension would not address the committee's concerns and the previous suspension had not an effect on the driver's behaviour;

The committee had asked itself the 'Button' question, outlined in the report, and the answer had been no;

In light of the above, the driver was no longer considered to be a fit and proper person to hold a private hire driver's licence and therefore the licence was revoked 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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