

Taxi Licensing Committee

Thursday 23 January 2020

PRESENT:

Councillor Mavin, in the Chair.

Councillor Derrick, Vice Chair.

Councillors Mrs Aspinall, Mrs Bridgeman, Mrs Pengelly, Rennie and Riley.

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

The meeting started at 10.00 am and finished at 1.30 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.

59. **Declarations of Interest**

There were no declarations of interest made by Councillors, in accordance with the Code of Conduct.

60. **Chair's Urgent Business**

With the permission of the Chair, Councillor Rennie raised the recent press coverage which had alleged that there were rogue cabs operating in the city and asked whether the Committee could be provided with an update.

The Committee was advised that –

- (a) an investigation had been undertaken regarding a private hire vehicle with an Oxford plate operating within the city, however there was no evidence, to date, to suggest that they had been operating as a taxi driver in Plymouth;
- (b) there was a trend, on social media, whereby teenagers were offering lifts to their personal friends and referring to themselves as being the taxi for the night;
- (c) investigation and test purchases had been carried out where possible and none of these, to date, had been illegal taxi operations, where the driver would require a licence.

The Committee urged members of the public to contact the police should they have evidence of taxis operating illegally.

The Committee requested that a cost analysis exercise be undertaken, in order to inform Members of the cost of the operators' fees charged to the drivers and the weekly cost of a Plymouth City Council licence fee.

In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for urgent consideration because of the need to update Members).

61. **Appeal Cases**

The Committee was advised that -

- (a) currently there was one appeal case outstanding; this had been due at the Crown Court on 29 November 2019 but as the court had been unable to secure two magistrates to sit with the judge, this had been relisted in the Crown Court for 28 February 2020;
- (b) the case could have been heard in November had the driver agreed for the judge to sit with one magistrate, this had not happened.

The Committee raised concerns at the length of time that this appeal case had taken to be heard in the Crown Court. The driver's licence had been revoked in August 2018.

The Committee considered that it should respond to the Government's Ministry of Justice consultation seeking a change to this rule, in order to allow one magistrate to sit with the judge instead of two.

62. **Exempt Information**

Agreed that under Section 100(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 paragraph 1 of Part I Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

Order of Business

With permission of the Chair, the order of business was changed, as reflected in the minutes below.

63. **Review Status of Private Hire Vehicle Driver Licence**

The Committee –

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

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

The Committee had -

- (d) considered the review on its own merits;
- (e) considered that the concerns raised were relevant under the Council's licensing objectives of safety and health of drivers and the public and also the protection of consumers.

Members of the Committee had asked themselves the question, set out in the Council's Policy, as to whether they would allow someone they cared about to get into a vehicle driven by this individual, and the answer was no.

The Committee was satisfied that this driver no longer remained a fit and proper or safe and suitable person to hold a Private Hire driver's licence and agreed to revoke the licence, in accordance with section 19(1)(b) of the Plymouth City Council Act 1975.

(Recorded Vote: six in favour – one against Councillor Rennie)

(Note: there is a confidential part to this minute)

64. **Review Status of Private Hire Vehicle Driver Licence**

The Committee –

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

The Committee had -

- (d) considered the review on its own merits;
- (e) considered that the concerns raised were relevant under the Council's licensing objectives of safety and health of drivers and the public and also the protection of consumers.

Members of the Committee had asked themselves the question, set out in the Council's Policy, as to whether they would allow someone they cared about to get into a vehicle driven by this individual, and the answer was no.

The Committee was satisfied that this driver no longer remained a fit and proper or safe and suitable person to hold a Private Hire driver's licence and agreed to revoke the licence, in accordance with section 19(1)(b) of the Plymouth City Council Act 1975.

(Note: there is a confidential part to this minute)