



Oversight and Governance

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Taxi Licensing Committee

Thursday 19 November 2020
10.00 am
Virtual Committee

Members:

Councillor Derrick, Chair
Councillor Tuffin, 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 10 September 2020.

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 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.

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. Member of the public will be asked to leave the meeting when such items are discussed.

7. Confidential Minutes

(Pages 5 - 10)

To confirm the confidential minutes of the meeting held on 10 September 2020.

8. Application for the Grant of a Private Hire Vehicle Driver Licence (Pages 11 - 20)

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

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Taxi Licensing Committee

Thursday 10 September 2020

PRESENT:

Councillor Derrick, in the Chair.

Councillor Tuffin, Vice Chair.

Councillors Mrs Bridgeman, Carson (substitute for Councillor Mrs Pengelly), Corvid (substitute for Councillor Mrs Aspinall), Rennie and Riley.

Apologies for absence: Councillors Mrs Aspinall and Mrs Pengelly.

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

The meeting started at 10.00 am and finished at 3.25 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.

18. **Declarations of Interest**

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

19. **Minutes**

Members agreed the minutes of the 16 July 2020 as an accurate record of the meeting.

20. **Chair's Urgent Business**

There were no items of Chair's Urgent Business.

21. **Appeal Cases**

Members were advised that there were no updates with regards to appeal cases.

22. **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 paragraph 1 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

23. **Confidential Minutes**

Members agreed the confidential minutes of the 16 July 2020 as an accurate record of the meeting.

24. Review Status of Private Hire Vehicle Driver Licence

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from the taxi driver;
- (c) took the following into account:
 - all that was said by the taxi driver and his representative who attended in support;
 - all the information within the report;
 - all relevant law and policy referred to within the report.

The Committee agreed, having considered the report on its own merits, that it was satisfied that the taxi driver was a fit and proper person to hold a private hire drivers licence however had concerns relevant to the Council's licensing objectives of Safety and Health of Drivers and the Public, Vehicle Safety, Prevention of Crime and Disorder and the Protection of Consumers.

The Committee considered all available sanctions against the taxi driver's licence and elected to suspend the licence for 21 days on the grounds of "any other reasonable cause" under PCCA 1975.

(Councillor Tuffin was unable to participate in the deliberation of this licence as connectivity issues had prevented him from hearing all of the evidence provided during the course of the meeting).

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

25. Review status of Hackney Carriage Driver Licence

The Committee –

- (a) considered the report from the Director of Public Health;
- (b) heard from the taxi driver;
- (c) took the following into account:
 - all that was said by the taxi driver;
 - all the information within the report;
 - all relevant law and policy referred to within the report.

The Committee agreed, having considered the report on its own merits, that it was satisfied that the taxi driver was a fit and proper person to hold a Hackney Carriage driver's licence however had concerns that his driving record illustrated an unwillingness to behave in a manner that could reasonably be expected of a professional driver. This was relevant to the Council's licencing objectives of Safety and Health of Drivers and the Public, Vehicle Safety, Prevention of Crime and Disorder and the Protection of Consumers.

Members agreed to suspend the driver's licence for a total of 14 days. 7 days were awarded in respect of the driver's motoring offences and 7 days in respect of the failure to notify the Licensing Department in the required manner. He was also required to re-sit the Drivers Standards Test within three months and provide proof of passing that test to the Licensing Department within that period. He must book that test within 14 days of receiving the decision letter and provide proof of that booking to the Licensing Department within that period. Failure to produce the booking and the proof of passing the Driving Standards Test in the time specified above may result in him being brought back before the Committee with all possible sanctions against his licence being considered including revocation.

(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, 3 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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