

Taxi Licensing Committee

Thursday 21 November 2024

PRESENT:

Councillor Moore in the Chair.
Councillors Aspinall (substitute for Councillor Tippetts), Gilmour, Luggier, Moore, Morton, Ney and S.Nicholson.

Apologies for absence: Councillor Tippetts.

Also in attendance: Councillor Sally Haydon (Cabinet Member for Community Safety, Events, Cemeteries and Crematoria), Rosie Brookshaw (Democratic Advisor), Stephen Forshaw (Senior Enforcement Officer), Andrea Gilbert (Lawyer), Graham Hooper (Senior Intelligence and Licensing Officer), Nicola Horne (Service Manager for Children, Young People and Environmental Protection), Mark Wheeler (Enforcement Officer), and Ian Wills (Senior Lawyer).

The meeting started at 10.00 am and finished at 5.08 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.

42. **Declarations of Interest**

Name	Item	Interest
Councillor Andy Luggier	53	Personal
Councillor Sally Nicholson	53	Personal

43. **Minutes**

The minutes from the meeting held 3 October 2024 were agreed as a true and accurate record.

44. **Chair's Urgent Business**

There were no items of Chair's urgent business.

45. **Appeal Cases**

There were no updates on appeal cases.

46. **Number of Certificates of Good Conduct Exemptions Granted**

There had not been any certificates of good conduct exemptions granted.

47. **Application for the Grant of a Private Hire Vehicle Operator Licence**

Nicola Horne (Service Manager for Children, YP & Environmental Protection) introduced the report and reminded the Committee that for Private Hire bookings to be taken, the following licenses needed to have been issued by Plymouth City Council:

- i) Private Hire Operator Licence;
- ii) Private Hire Driver Licence;
- iii) Private Hire Vehicle Licence.

The Committee heard representations by Uber Britannia Ltd:

- a) Uber had Private Hire Operators Licensed in 82 towns and cities in the United Kingdom and was owned by a multi-national parent company;
- b) Uber had 100,000 drivers on its platform in the UK and were looking to recruit 160 drivers in Plymouth;
- c) Uber rides were booked via the Uber app, and there were various levels of service and facilities (pets/wheelchairs) offered by Uber;
- d) The passengers were informed of the pricing of the ride, confirmation of the trip details, name and photograph of the driver, car details and registration plate;
- e) There was a facility on the app for a four digit pin to be sent to the passenger which linked the journey they had booked to the specific Private Hire taxi;
- f) Estimated times of arrival were shared with the passenger;
- g) Uber had the facility to record the trips via GPS;
- h) The Uber app monitored when the taxi is in motion and if the taxi was still for a certain period of time, the app requested an update from the driver;
- i) Uber enabled the passenger to rate the driver, and if the passenger awarded one star then the driver would not be allocated to that passenger in the future;
- j) The passengers could report safety issues to Uber and these would be investigated and, if necessary, the driver would be suspended from the Uber platform;
- k) There was a policy for the return of lost luggage/personal items via the app;
- l) The office in Plymouth was not accessible to the public. If passengers had an issue or complaint about a driver, there were call centres where complaints could be logged and an investigation process. The waiting time for a response was short;
- m) Uber had a stringent process before accepting young drivers onto the Uber platform. The driver would be required to attend the local office to check the driver documentation and photographs were taken for use on the app. The documents

(insurance/logbook and DVLA) would undergo further verification from a third party;

- n) Uber had a dedicated email/phone line available 24/7 for police and licensing officers to obtain electronic records. If documents were required to be inspected by authorities at the local office, this could be done by pre-arranged appointment. The opening hours of the office would be dependent on need and there were no set hours;
- o) Uber ensured drivers are paid above the minimum wage, had holiday pay and there was a provision for a pension. Drivers could also join a trade union;
- p) The sole Directors of Uber Britannia Ltd had completed the safeguarding courses which included an awareness of monitoring potential 'county lines' use and their DBS checks were up to date;
- q) Uber Britannia Ltd had £5 million Public Liability Insurance;
- r) Uber used 'geo fencing' on the booking system to ensure there were no cross-border bookings;
- s) Uber confirmed they were applying for a five-year licence.

The Committee disregarded the following:

- t) The effect the granting of the application on other Private Hire Operators/Private Hire drivers in the City.

The Committee considered the Fit and Proper Test and agreed the current Directors of Uber Britannia Ltd were fit and proper persons as required under S13 Plymouth City Council Act 1975.

The Committee agreed:

1. To grant Uber Britannia Ltd a Private Hire Operators Licence;
2. To grant the Licence for five years;
3. The Licence would not be subject to additional Private Hire Operators Licence conditions.

48. **Application for the Grant of a Private Hire Vehicle Operator Licence**

Nicola Horne (Service Manager for Children, YP & Environmental Protection) introduced the report and highlighted the following points:

- a) An email had been received from the applicant outlining the procedure for the return of left luggage. The drivers were encouraged to check with passengers that they have

taken all of their luggage when the journey is complete and if there was left luggage, the driver would inform the central office and arrangements would be made to return the item when next in the vicinity of the passengers;

- b) The office in Derriford was a shared office space and was not open to the public;
- c) Both Directors had completed the required courses for a Private Hire Operators Licence and there were no adverse DBS entries, nor where there any Local Authority reviews which raised concerns;
- d) The licence application was to operate one Private Hire vehicle;
- e) The licence applied for was for five years;
- f) For Private Hire bookings to be taken, the following licences needed to have been issued by Plymouth City Council:
 - i) Private Hire Operator Licence;
 - ii) Private Hire Driver Licence;
 - iii) Private Hire Vehicle Licence.

The Committee disregarded:

- g) The effect of the granting of the application on other Private Hire Operators/Private Hire drivers in the City.

The Committee considered the Fit and Proper Person Test and agreed the current Directors of Smartzi B2B Ltd were fit and proper persons as required under S13 Plymouth City Council Act 1975.

The Committee agreed:

- 1) To grant Smartzi B2B Ltd Private Hire Operators Licence;
- 2) To grant the Licence for five years;
- 3) The Licence would not be subject to additional Private Hire Operators Licence Conditions.

49. **Exempt Information**

The Committee agreed to pass 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 involved 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.

50. **Confidential Minutes**

The confidential minutes from the meeting held 3 October 2024 were agreed as a true and accurate record.

51. **Review Status of a Private Hire Vehicle Driver Licence, Private Hire Vehicle Licence and Operators Licence**

The Committee:

- a) Considered all that was said by the driver;
- b) Considered all of the information contained within the report;
- c) Considered all of the relevant policies referred to in the report;
- d) Asked itself whether it would want a person they cared for, or a vulnerable person, to be driven in a vehicle by the driver.

The Committee agreed:

1. To revoke the driver's Private Hire Drivers Licence 'for any other reasonable cause' under s19(1) (b) Plymouth City Council Act 1975 as they no longer consider the driver to be a fit and proper person to hold a Private Hire Taxi Licensing Committee Driver's Licence;
2. The driver could retain their Private Hire Vehicle Licence.

52. **Review Status of a Hackney Carriage Vehicle Driver Licence**

The Committee:

- a) Considered all that was said by the driver;
- b) Considered all of the information contained within the report;
- c) Considered all of the relevant policies referred to in the report;
- d) Asked itself whether it would want a person they cared for, or a vulnerable person, to be driven in a vehicle by the driver.

The Committee agreed:

- 1) To suspend the driver's Hackney Carriage Driver's Licence for 14 days under s19(1) Plymouth City Council Act, for 'any reasonable cause'.

(Councillors Luggar and Nicholson left the meeting at the conclusion of this item)

53. **Review status of Hackney Carriage Driver and Vehicle Licence**

The Committee:

- a) Considered all that was said by the driver;
- b) Considered all of the information contained within the report;
- c) Considered all of the relevant policies referred to in the report;
- d) Asked itself whether it would want a person they cared for, or a vulnerable person, to be driven in a vehicle by the driver.

The Committee agreed:

1. To revoke the driver's Hackney Carriage Driver's Licence under s19 Plymouth City Council Act 1975;
2. To take no action against the driver's Hackney Carriage Vehicle Licence as it would expire naturally in January 2025 and the driver had no intention of returning to the industry.