

Licensing Committee (Hackney Carriage)

Thursday 14 January 2010

PRESENT:

Councillor Mrs Dolan, in the Chair.

Councillor Drear, Vice Chair.

Councillors Bowie, Delbridge, Rennie, Reynolds and Thompson

The meeting started at 10.00 am and finished at 4.50 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.

104. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct in relation to items under discussions at this meeting –

Name	Subject	Reason	Interest
Councillor Rennie	Minute 113 Application for the Grant of a Private Hire Driver Licence	Knew of the applicant	Personal
	Minute 114 Application for the Grant of a Private Hire Driver Licence	Knew of the applicant	Personal

105. MINUTES

Resolved that the minutes of the meeting held on 3 December 2009 are confirmed as a correct record.

106. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

107. APPEAL CASES

The Committee was informed that –

- (i) there had been one appeal lodged against the committee's decision from the 3rd December 2009 hearing;
- (ii) there was a Crown Court hearing listed on the 15 January 2010 to hear an appeal against a revocation of a Hackney Carriage driver's licence.

108. LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF LICENCE STATUS - R D ROBERTS

The Committee having –

- (i) considered the report of the Director for Community Services;
- (ii) heard from Mr R D Roberts;
- (iii) taken into account that Mr Roberts –
 - stated he was unaware that he had to obtain the qualification;

- had already effectively been prevented from working for four days whilst his licence renewal was being considered;
- had received none of the communications sent by the Licensing Section to remind him of this requirement;
- had since taken steps to commence VRQ training.

Resolved that Plymouth City Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states at paragraph 14.2 that from November 2008, in addition to other requisite tests, applicants would be required to complete the Level 2 VRQ in Transporting Passengers by Taxi and Private Hire or equivalent within 12 months from the date of being first licenced.

In lieu of the above, Members considered Mr Roberts' comments and the evidence before them and found that Mr Roberts remains a fit and proper person to hold a Hackney Carriage driver's licence and no action would be taken against Mr Roberts' licence today on the condition that he provides proof of placement on the Level 2 VRQ in Transporting Passengers by Taxi and Private Hire or equivalent to the Licensing Department within 14 days. Failure to provide this would result in Mr Roberts being brought back before this Committee at a future date.

Members also required Mr Roberts to complete the Level 2 VRQ in Transporting Passengers by Taxi and Private Hire or equivalent within 12 months of his renewal date of 7 December 2009.

109. **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) 3 and 7 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

110. **CONFIDENTIAL MINUTES**

Resolved that the minutes of the meeting held on 3 December 2009 are signed as a correct record.

111. **LICENSED DRIVER REVIEW STATUS OF PRIVATE HIRE DRIVER AND HACKNEY CARRIAGE DRIVER LICENCE - SCW (E3 AND E7)**

The Committee having –

- (i) considered the report of the Director for Community Services;
- (ii) heard from SCW;
- (iii) heard details of SCW's motoring offences;
- (iv) heard details of SCW's caution.

The circumstances surrounding the caution gave the Committee cause for concern.

Resolved that considering all of the above a seven day suspension be imposed on SCW's Private Hire driver's licence. Members also required SCW to provide a medical certificate to the Licensing Department within 14 days. Members further requested that SCW would need to obtain the level 2 VRQ in Transporting Passengers by Taxi and Private Hire or an equivalent within 12 months from the date of first being licensed.

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

112. **LICENSED PRIVATE HIRE DRIVER REVIEW OF LICENCE STATUS - PH (E3 AND E7)**

The Committee having –

- (i) considered the report of the Director for Community Services;
- (ii) heard from PH;
- (iii) considered a letter from PH's general practitioner;
- (iv) considered a letter from PH's former employer.

The details contained in the letters gave the committee cause for concern.

Resolved to suspend PH's licence until such time as he can provide a medical certificate certifying that he complies with the Group II standard of medical and mental fitness and documentary evidence that the DVLA are satisfied that he has the capacity to have his driver's licence returned.

*(Note: there is a confidential part to this minute)
(Councillor Thompson left the meeting during this item)*

113. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - GT (E3 AND E7)

The Committee having –

- (i) considered the report of the Director for Community Services;
- (ii) heard from GT;
- (iii) heard from GT's employer.

Resolved that the application for a private hire driver's licence is granted subject to the completion of the level 2 VRQ in transporting passengers by taxi and private hire or equivalent within 12 months from the date of being first licenced.

(Councillor Rennie declared a personal interest and left the room.)

114. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - JRH (E3 AND E7)

The Committee having –

- (i) considered the report of the Director for Community Services;
- (ii) heard from JRH.

Resolved that the application for a private hire driver's licence is granted subject to the completion of the three prerequisite tests and the level 2 VRQ in transporting passengers by taxi and private hire or equivalent within 12 months from the date of being first licenced.

(Councillor Rennie declared a personal interest and left the room.)

115. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - AP (E3 AND E7)

The Committee having –

- (i) considered the report of the Director for Community Services;
- (ii) heard from AP;
- (iii) heard details of AP's convictions.

Resolved that the application is refused as AP was not a fit and proper person to hold a private hire driver's licence.

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