

Licensing Committee (Hackney Carriage)

Thursday 2 September 2010

PRESENT:

Councillor Fox, in the Chair.
Councillor Delbridge, Vice Chair.
Councillors Bowie, Drear, Haydon and Rennie.

Apologies for absence: Councillors Bowie (absent for morning items only) and Reynolds.

Also in attendance: Andrea Gilbert (Lawyer) and Dave Hughes (Senior Environmental Health Officer Licensing).

The meeting started at 10.00 am and finished at 5.00 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.

45. DECLARATIONS OF INTEREST

The following declaration of interest was made in accordance with the Code of Conduct in relation to an item under discussion at this meeting –

Name	Subject	Reason	Interest
Councillor Rennie	Minute 55 – Application for the grant of a Hackney Carriage Driver's Licence	Relative	Personal

46. MINUTES

Agreed that the minutes of the meetings held on 8 July 2010 and 5 August 2010 are confirmed as a correct record.

47. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

48. APPEAL CASES

The committee was advised that there had been no new appeal cases since the last committee meeting.

49. **EXEMPT INFORMATION**

Agreed that under Section 100(A)(2) and (4) of the Local Government Act, 1972, the press and public are excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of confidential/exempt information as defined in paragraph 4 of Part 1 Schedule 12A of the (Local Government Access to Information) Act 1985, as amended by the Freedom of Information Act 2000.

50. **CONFIDENTIAL MINUTES**

Agreed that the confidential minutes of the meetings held on 8 July 2010 and 5 August 2010 are confirmed as a correct record.

51. **APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - PH**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from PH.

Agreed that the application for a Hackney Carriage Driver's Licence is granted. Members considered PH's request to be excused from the two remaining prerequisite tests, namely the driving test and knowledge of Plymouth test but it was felt that as his employment as a courier, over the last two years has naturally involved a considerable amount of driving around Plymouth, PH did not have to sit the topographical knowledge of Plymouth test.

PH will however, be required to sit the driving test to ensure that his skills, as a Hackney Carriage Driver, are to the appropriate standard and he will also be required to undertake a medical test. PH will also be required to complete Level 2 VRQ in Transporting Passengers by Taxi and Private Hire or equivalent qualification within 12 months from the date of being first being licensed and in accordance with Plymouth City Council's Hackney Carriage and Private Hire Licence policy.

52. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - SV**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from SV.

Agreed that the application for a Private Hire Driver's Licence is granted. SV is also required to complete Level 2 VRQ in Transporting Passengers by Taxi and Private Hire or equivalent qualification within 12 months from the date of first being licensed and in accordance with Plymouth City Council's Hackney Carriage and Private Hire Licence policy.

53. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - AJE**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from AJE;
- (c) considered a letter from AJE's prospective employer.

Agreed that the application for a Private Hire Driver's Licence is granted subject to AJE completing the remaining prerequisite tests, namely the topographical knowledge of Plymouth test and the Level 2 VRQ in Transporting Passengers by Taxi and Private Hire, or equivalent qualification within 12 months from the date of first being licensed and in accordance with Plymouth City Council's Hackney Carriage and Private Hire Licence policy.

(Note: there is a confidential part of this minute).

54. **APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - BP**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from BP.

Agreed that the application for a Hackney Carriage Driver's Licence is granted subject to BP completing the prerequisite tests, namely the topographical knowledge of Plymouth, driving test and the Level 2 VRQ in Transporting Passengers by Taxi and Private Hire, or equivalent qualification within 12 months from the date of first being licensed and in accordance with the Plymouth City Council's Hackney Carriage and Private Hire Licence policy.

55. **APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - TRR**

Due to TRR's non attendance at Committee, Members agreed that his application is held on file until such time as he contacts the licensing department.

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

(Councillor Bowie was present for minutes 55, 56, 57 and 58).

(Councillor Rennie returned for the remainder of the items).

56. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - RSG**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from RSG;
- (c) heard from RSG's prospective employer;
- (d) considered correspondence provided by RSG.

Agreed that the application for a Private Hire Driver's Licence is granted subject to RSG completing the remaining prerequisite tests, namely the topographical knowledge of Plymouth test, driving test, medical test and the Level 2 VRQ in Transporting Passengers by Taxi and Private Hire or equivalent qualification within 12 months from the date of being first licensed and in accordance with Plymouth City Council's Hackney Carriage and Private Hire policy.

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

57. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - DCW**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from DCW;
- (c) heard details of DCW's convictions and speeding offences;
- (d) taken into account –
 - DCW's commitment to becoming a Private Hire Driver again;
 - the difficulties DCW had experienced which resulted in him allowing the original Private Hire Driver's licence to lapse;
 - that DCW had almost completed his driving NVQ but had been prevented from completing it by the theft of his vehicle;
 - DCW's open and honest attitude which Members had been impressed with.

Agreed that having taken into account DCW's financial problems and the mental difficulties they had caused, the Committee felt that the safety of the public must be paramount. There fore the committee should invoke its powers by applying s9 (1) (a) under Plymouth City Council Act, 1975 and the Plymouth City Council Hackney Carriage and Private Hire Licensing policy and refuse DCW's application for the grant of a Private Hire Driver's Licence as they deem DCW not to be a fit and proper person at this time.

(Note: there is a confidential part of this minute).

58. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - CC**

Due to CC's non attendance at Committee, Members agreed that his application is held on file until such time as he contacts the licensing department.