

Licensing Committee (Hackney Carriage)

Thursday 6 January 2011

PRESENT:

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

Apologies for absence: Councillor Reynolds (Councillor Haydon absent until Agenda Item 108 due to attendance at another Committee)

Also in attendance: Andrea Gilbert (Lawyer), James Hirst (Assistant Licensing Officer) and George Curness (Assistant Licensing Officer).

The meeting started at 10.00am and finished at 4.45pm.

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.

97. **DECLARATIONS OF INTEREST**

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

98. **MINUTES**

Agreed that the minutes of the meeting held on 2 December 2010 are confirmed as a correct record.

99. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

100. **APPEAL CASES**

The Committee was informed that there was an appeal against the revocation of a Hackney Carriage driver's licence at a previous Committee hearing.

101. **LICENSED PRIVATE HIRE DRIVER REVIEW OF LICENCE STATUS - S H KENDALL**

Due to further amendments required to be made to the report, Members agreed to adjourn this hearing until the next available Committee.

102. **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.

103. **CONFIDENTIAL MINUTES (E3 AND E7)**

Agreed that the confidential minutes of the meeting held on 2 December 2010 are confirmed as a correct record.

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

The Committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from PFC;
- (c) heard from PFC's legal representative;
- (d) heard from PFC's employer;
- (e) heard details of recent fixed penalty notices;
- (f) taken into account that all that was said.

Members were concerned that PFC demonstrated a lack of respect for the terms of his licence and have agreed to suspend PFC's Private Hire Driver's Licence for two days in respect of the two breaches of conditions.

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

105. **LICENSED HACKNEY CARRIAGE DRIVER APPLICATION FOR EXEMPTION - MC (E3 AND E7)**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from MC;
- (c) considered an assessment of MC's condition made by his General Practitioner.

Agreed that the application for a lifetime medical exemption is granted.

106. **LICENSED HACKNEY CARRIAGE DRIVER APPLICATION FOR EXEMPTION - JCB (E3 AND E7)**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from JCB;
- (c) considered an assessment of JCB's condition made by his General Practitioner.

Agreed that the application for a lifetime medical exemption is granted.

107. **LICENSED HACKNEY CARRIAGE DRIVER APPLICATION FOR EXEMPTION - GRC (E3 AND E7)**

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

(Councillor Delbridge left the meeting at the end of this item and was not present for items 108, 109, 110)

108. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - STM (E3 AND E7)**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from STM;
- (c) taken into account all that was said.

Agreed the application for a Private Hire Driver's Licence is granted and that STM is required to complete the remaining prerequisites for the grant of a PHD licence and also the VRQ, or equivalent driver qualification in 'Transporting Passengers by Taxi and Private Hire' within the next 12 months once the licence has been issued to him.

(Councillor Haydon was present for the following items 108, 109, 110, 111 and 112)

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

Members heard that CBS had recently commenced employment and was unable to attend today's hearing. Members agreed to adjourn until the next available committee at which all sanctions against CBS license will be considered.

110. **LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF LICENSE STATUS - RVM (E3 AND E7)**

The Committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from RVM;
- (c) heard details of RVM's recent road accidents;
- (d) taken into account all that was said.

The Committee feels that RVM's driving standards clearly give rise to concerns for public safety. However, they have agreed having taken into account all of the above to give RVM a warning which will be placed on his file. This will be brought to the attention of the committee should he be brought before them for any reason in the future.

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

(Councillor Delbridge returned to the meeting for this item and was present for items 111 and 112)

111. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - SEM (E3 AND E7)**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from SEM;
- (c) heard SEM's explanation of his offences;
- (d) considered character references supplied by SEM;
- (e) taken into account all that was said.

Agreed that the committee follow their own Plymouth City Council Hackney Carriage and Private Hire Licensing policy and exercise its powers by applying s9 (1) (a) under Plymouth City Council Act, 1975 and refuse SEM's application for the grant of a Private Hire Driver's Licence as they deem SEM not to be a fit and proper person at this time.

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

112. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - MAP (E3 AND E7)**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from MAP;
- (c) taken into account all that was said.

Agreed the application for a Private Hire Driver's Licence is granted and that MAP is required to complete the remaining prerequisites for the grant of a licence and also the VRQ, or equivalent driver qualification in 'Transporting Passengers by Taxi and Private Hire' within the next 12 months once the licence has been issued to him.