

## CITY OF PLYMOUTH

**Subject:** Licensed Private Hire Driver – Review of Licence Status  
**Committee** Licensing Committee (Hackney Carriage)  
**Date:** 1 December 2011  
**Cabinet Member:** Councillor Jordan  
**CMT Member:** Director for Community Services  
**Author:** James Hirst – Licensing Officer (Taxis)  
**Contact:** Tel 01752 304744  
Email James.hirst@plymouth.gov.uk

**Ref:**

**Key Decision:** No

**Part:** 1

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### Executive Summary:

Mr Vasile Banta is a licensed Private Hire vehicle driver, having been first granted a Private Hire driver's licence by the Council on the 24 June 2008. His current licence is due to expire on 16 May 2012.

On 4 August 2011, Mr. Banta attended a Licensing Committee hearing where he received a 6 day suspension and was directed to produce his VRQ qualification certificate within 7 days. Mr. Banta has served his 6 day suspension as directed but has failed to produce the VQR certificate to the Licensing Department within the required time.

Mr. Banta has been invited to attend this Licensing Committee in order that this matter may be considered.

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### Corporate Plan 2011 – 2014:

This report links to the delivery of the corporate priorities defined in the Corporate Improvement Plan. In particular:

Improving access across the City

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### Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable.

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**Other Implications: e.g. Section 17 Crime Disorder Act 1998, Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:**

Members should be aware that Section 17 of the Crime Disorder Act 1998 put a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

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**Alternative options considered and reasons for recommended action**

None.

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**Background papers:**

Report to Licensing Committee (Hackney Carriage) 4 August 2011  
ERS/LIC/JH/sem and minute number 36 of that Committee.

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**Sign off:**

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Originating SMT Member											

## Report

1. Mr Vasile Banta is a licensed Private Hire vehicle driver, having been first granted a Private Hire driver's licence by the Council on the 24 June 2008. His current licence is due to expire on 16 May 2012.
2. On 4 August 2011, Mr. Banta attended a Licensing Committee where Members considered a report stating that Mr Banta had committed and not reported three motoring offences to the Licensing Office in the correct manner. At this hearing Mr. Banta received a 6 day suspension and was directed to produce his VRQ qualification certificate within 7 days.
3. Members are made aware that during the Committee Hearing, Mr. Banta was asked by Members whether he had completed a VRQ qualification in "Transporting Passengers by Taxi and Private Hire" or equivalent, to which Mr. Banta replied "yes".
4. A letter was sent to Mr. Banta on the 5 August 2011, informing him of the decision made by Members of the Licensing Committee stating that his Private Hire drivers licence would be suspended for 6 days and he would also have to produce his VRQ certificate with 7 days. This letter also highlighted the date that he had to surrender his licence to the Council should he not wish to appeal the Committee decision.
5. On the 15 August 2011, Mr. Banta came to the licensing desk, surrendered his Private Hire drivers badge and commenced his 6 day suspension. He informed a Licensing Officer that he was unable to produce a VRQ certificate as directed as he had not gained this qualification.
6. The actions open to Members are those contained in Section 19(1) (b) of the Plymouth City Council Act 1975 which empowers the Council to suspend, revoke or refuse to renew the licence of a driver of a Hackney Carriage or Private Hire vehicle for:-  
  
***"any other reasonable cause"***.
7. Members are asked to consider whether Mr. Banta is a "fit and proper" person in light of the above circumstances and incorrect information given to them by Mr. Banta
8. Mr. Banta has been invited to attend this Licensing Committee in order that this matter may be considered.