

DRAFT

Taxi Licensing Committee

Thursday 4 July 2019

PRESENT:

Councillor Mavin, in the Chair.

Councillor Corvid, Vice Chair.

Councillors Mrs Bridgeman, Mrs Pengelly, Rennie, Riley and Singh.

Also in attendance: Sharon Day (Lawyer), Steve Forshaw (Senior Enforcement Officer), Cathy Griffin (Enforcement Officer) and Helen Rickman (Democratic Advisor).

The meeting started at 10.00 am and finished at 2.25 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.

12. **Declarations of Interest**

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

13. **Minutes**

Members agreed the minutes of the meeting held on 6 June 2019.

14. **Chair's Urgent Business**

There were no items of Chair's Urgent Business.

15. **Appeal Cases**

Members were advised of a recent appeal that had gone through the Crown Courts; the Council was successful.

16. **Exempt Information**

Agreed that under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following items of business on the grounds that they involve 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.

17. **Confidential Minutes**

Members agreed the confidential minutes of the meeting held on 6 June 2019.

18. **Application for the grant of a Private Hire Driver's Licence**

The Committee -

- (a) considered the report from the Director for Public Health;
- (b) heard from the applicant and the applicant's partner;
- (c) took the report and all that was said by the applicant and the applicant's partner into account;
- (d) considered the Council's Hackney Carriage and Private Hire Licensing Policy and its Guidance on Relevance of Convictions and Conduct.

The Committee agreed to act outside its policy and grant the applicant's application for a private hire driver's licence. This was subject to the successful completion of:

- a VRQ in transporting passengers by taxi and private hire (or equivalent) within the first 12 months of being licensed;
- the Plymouth Ambassador course within the same period;
- the safeguarding course

in deciding to act outside of its policy, the committee had accepted the applicant's account of events and the change of circumstances.

(There is a private part to this minute)

19. **Application for the Grant of a Restricted Private Hire Driver's Licence**

The Committee -

- (a) considered the report from the Director for Public Health;
- (b) heard from the applicant;
- (c) heard from Mr Forshaw, Taxi Licensing Officer, that the applicant had followed the Home Office guidance to try and obtain the certificate of good conduct;
- (d) considered the Council's Hackney Carriage and Private License Policy.

The Committee agreed to act outside its policy and consider the application without a certificate of good conduct. The reasons being that applicant had provided information about their conduct and actions whilst out of the UK and had taken every effort to try and obtain the certificate of good conduct.

It was agreed that the application for a Restricted Private Hire Driver Licence would be granted subject to the applicant successfully completing a VRQ in transporting passengers by taxi and private hire (or equivalent) within 12 months of the licence being granted and also completing the Plymouth Ambassador course within the same time period.

(Under this item Councillors Mavin, Mrs Pengelly and Rennie declared a personal interest as the applicant's current employer was known to them)

(There is a private part to this minute)

20. **Application for the Grant of a Private Hire Vehicle Driver Licence**

The Committee –

- (a) considered the report from the Director for Public Health;
- (b) heard from the applicant;
- (c) heard from a representative from Need-a-cab;
- (d) took the report, the Council's Hackney Carriage and Private Hire Licensing Policy and its Guidance on Relevance of Convictions and Conduct, all that was said by the applicant and the representative into account.

The Committee had considered the application on its own merits and, in light of concerns raised (which are relevant under the Council's licensing objectives of safety and health of drivers and public and also, prevention of crime and disorder and protection of consumers) the committee were not satisfied that the applicant was a fit and proper person to hold a private hire driver licence. Members of the committee had asked themselves the question, set out in their policy, as to whether they would allow someone they cared about to get into a vehicle driven by the applicant, and the answer was no. Therefore the application was refused.

(There is a private part to this minute)

21. **Review Status of Private Hire Driver Licence**

The Committee -

- (a) considered the report from the Director for Public Health;
- (b) heard from the Licensing Officer that:
 - the driver was not in attendance and despite attempts, they had not been able to make contact;
 - as outlined in the report, officers had made all reasonable attempts to try and get the driver to attend the Safeguarding workshop to no avail;
 - drivers who had not attended the safeguarding course by the deadline of

the 1 April 2019, had been given an extension until May to complete the course;

- (c) made a decision to consider the matter in the driver's absence as the driver had been warned the non-attendance may result in this;
- (d) took the report, the policy and law, into account.

The Committee considered that safeguarding was a major priority for the City to ensure the protection of its vulnerable children and adults. Taxi drivers were able to provide crucial information on potential safeguarding issues and therefore it was essential that all drivers were trained to recognise potential signs and to know what to do with that information. Failure to engage in this process raised concerns under the Council's licensing objective to protect children and other vulnerable adults from harm.

The failure of the driver to attend this course and to fail to engage with officer's attempts to contact them did not demonstrate a commitment to work with the Council. This was a relevant consideration under the Council's licensing objective of Prevention of crime and disorder and protection of consumers.

In light of the above, the driver's private hire driver's licence would be suspended until the driver produced a certificate to confirm their successful completion of the Council's Safeguarding course. This was in accordance with Section 19(1)(b) of the Plymouth City Council Act 1975.