



TAXI AND GENERAL SUB COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
WEDNESDAY, 1ST FEBRUARY 2017 AT 10.00 A.M.**

PRESENT:

Councillor D.W.R. Preece - Chair

Councillors:

Mrs K.R. Baker, Mrs G.D. Oliver

Together with:

A. Dicks (Assistant Licensing Manager), J. Lloyd (Senior Licensing Administrator), S. Ead (Solicitor), R. Barrett (Committee Services Officer)

Together with:

Licensed driver (Mr X) and his employer

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the course of the meeting.

3. CHANGES TO LICENSING COMMITTEE'S STRUCTURE AND TERMS OF REFERENCE

Reference was made to the Council decision of 24th January 2017 to accept recommendations to change the structure and Terms of Reference for the Licensing Committee. Due to these changes, Members were asked to note that the matters being considered that day were now within the remit of the Taxi and General Sub Committee.

4. EXEMPT MATTER

Members considered the public interest test certificate from the Proper Officer and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and it was

RESOLVED that in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting because of the likely disclosure to them of exempt information as identified in paragraph 12 of Part 4 of Schedule 12A of the Local Government Act 1972.

5. LICENSING OF HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE DRIVERS

For the reasons disclosed to the Legal Advisor and the Taxi and General Sub Committee, it was agreed that Mr X's employer be permitted to remain in the meeting room with Mr X for the duration of the exempt session.

It was explained to the Sub Committee that information had been received which suggested that a licensed driver may no longer be considered fit and proper to hold a hackney carriage/private hire vehicle driver's licence, and therefore the matter had been referred to the Sub Committee for determination.

Members were informed that an allegation relating to the behaviour of Mr X whilst transporting a set of passengers had recently been received by the Licensing Department. This included concerns as to his medical fitness whilst carrying out his duties. In light of this information, the Licensing Authority are required under the Local Government (Miscellaneous Provisions) Act 1976 to consider and determine whether the individual remains a fit and proper person to hold a hackney carriage/private hire vehicle driver's licence.

The Sub Committee considered the report of the Assistant Licensing Manager and the statement attached to that report in relation to the allegations made against Mr X and the concerns surrounding his medical fitness whilst transporting passengers. The Sub Committee also considered an advice leaflet from the DVLA, together with the Hackney Carriage and Private Hire Licensing Policy, which sets out the fitness criteria for drivers and the relevance of criminal or unsatisfactory behaviour.

The Sub Committee carefully listened to Mr X's explanation of the recent incident in question and considered the medical evidence previously supplied from Mr X that was included in the meeting papers. The Sub Committee also sought clarification from Mr X's employer as to whether he was aware of the circumstances surrounding the allegation. As a result of the employer's submissions during the course of the meeting, Mr X produced further written evidence in relation to the status of his medical fitness, which was then considered by the Sub Committee.

Having regard to the Officer's report and all the representations made, the Sub Committee unanimously RESOLVED that Mr X's licence be suspended with immediate effect in the interests of public protection and pending further information from the DVLA in regards to his medical fitness. Once the necessary information has been received from the DVLA, a further Taxi and General Sub Committee meeting will be arranged to determine the matter.

The meeting closed at 11.44 a.m.