



TAXI AND GENERAL SUB COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
THURSDAY, 5TH OCTOBER 2017 AT 3.00 P.M.

PRESENT:

Councillor J. Simmonds - Chair

Councillors:

W. David, Ms J. Gale

Together with:

L. Morgan (Licensing Manager), A. Dicks (Assistant Licensing Manager), J. Lloyd (Senior Licensing Administrator), T. Rawson (Solicitor), R. Barrett (Committee Services Officer)

Together with:

Licensed driver (Mr X)

The complainant

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. 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.

4. LICENSING OF HACKNEY CARRIAGE /PRIVATE HIRE VEHICLE DRIVERS

The Taxi and General Sub Committee were reminded of the meeting held on 11th September 2017 to consider an allegation made by a taxi passenger against licensed driver Mr X. At that meeting, the Sub Committee unanimously determined that the matter should be deferred to the next available date. This was to afford the complainant the opportunity to attend the meeting, so that the Sub Committee could ask them questions regarding the witness statement made against Mr X.

The Assistant Licensing Manager summarised the allegation made against Mr X and provided an update on the matter, including the response to queries raised by the Sub Committee at the last meeting. Members were reminded that in light of the allegation made against Mr X, 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 in relation to the allegation made against Mr X, and the witness statement from the complainant attached to the meeting papers. Members were also referred to the Council's Fitness Criteria for Drivers and Operators and 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 the complainant's description of the alleged incident, and asked them a number of questions regarding their statement. In turn, Mr X was afforded the opportunity to respond to the complainant's statement and he replied to several questions from the Sub Committee regarding the alleged incident.

Having regard to the Officer's report and all the representations made, the Sub Committee, by the majority present (and in noting there was 1 against) RESOLVED that Mr X be allowed to retain his existing licence. Members were of the view that Mr X remains a fit and proper person to hold a hackney carriage/private hire vehicle driver's licence.

In making their decision, the Sub Committee could not be satisfied on the balance of probabilities that the incident occurred, and determined that as such, the driver's licence should continue without sanction.

The Chair thanked all parties for their attendance and the meeting closed at 4.10 p.m.