



Licensing and Safety
Sub-Committee
10th May 2016
10.00 am

Item
4
Public

**MINUTES OF THE LICENSING AND SAFETY SUB-COMMITTEE MEETING HELD ON
24 FEBRUARY 2016
10.00 - 10.57 AM**

Responsible Officer: Shelley Davies
Email: shelley.davies@shropshire.gov.uk Tel: 01743 257718

Present

Councillor Keith Roberts (Chairman)
Councillors Joyce Barrow and Vernon Bushell

10 Apologies

Apologies for absence were received from Councillors Andrew Davies and Vivienne Parry.

11 Minutes of Previous Meeting

RESOLVED:

That the Minutes of the meeting of the Licensing and Safety Sub-Committee held on 27th May 2015, be approved as a correct record and signed by the Chairman.

12 Public Question Time

There were no public questions, statements or petitions received.

13 Disclosable Pecuniary Interests

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

14 Exclusion of Public and Press

RESOLVED:

That in accordance with the provisions of Schedule 12A of the Local Government Act 1972 and Paragraph 10.4 (1) of the Council's Access to Information Rules, the public and press be excluded during consideration of the following item.

15 Conduct of a Hackney Carriage/Private Hire Vehicle Driver

Consideration was given to an exempt report of the Transactional Manager in respect of the conduct of a Hackney Carriage/Private Hire Driver. The Public Protection Officer (Technical) was also in attendance.

The Transactional Manager presented the report to the Sub-Committee.

In response to questions raised by Members of the Sub-Committee and the applicant's legal representative, the Transactional Manager confirmed that:

- The Council had not received any other complaints or allegations in relation to the applicant;
- There was no legal definition of what constituted a fit and proper person;
- The public were at risk when an un-booked fare was by a Private Hire driver as there would be no record of the fare and the journey cannot be traced;
- The driver had tried to book the fare with the operator;
- The issue of insurance was not considered in the prosecution case; and
- The applicant had held his Shropshire Council drivers licence for 16 days prior to the incident and was not previously employed as a taxi driver.

The applicant and their legal representative were in attendance and confirmed that they were agreeable to Members and Officers knowing their names. The applicant's legal representative presented the case to the Sub-Committee providing background information and the circumstances surrounding the offence as detailed in the Officer's report.

In response to questions raised by Members of the Sub-Committee, the Transactional Manager and the Council's Solicitor, the applicant confirmed that:

- A number of procedures had been amended by the Operator following the incident;
- He had not received any further information or a guide for drivers from the Operator following the incident;
- The only training he had received from the Operator was in relation to the electronic booking system;
- He was only 14 days into the job when the incident occurred;
- He had read all the guidance from the Council when he applied for his licence;
- He kept his drivers information pack at home; and
- He did not have the new information booklet.

The Transactional Manager summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 10.46 a.m. and reconvened at 10.56 a.m. to announce their decision.

RESOLVED:

That the driver be issued with a written warning in relation to his Joint Hackney Carriage/Private Hire Vehicle Driver’s Licence regarding his future conduct that remain on file for 12 months.

Reasons: In making their decision, Members of the Sub-Committee took into account the representations made by the licence holder, the Shropshire Council Hackney Carriage and Private Hire Licensing Policy 2015-2019, and had regard to the information detailed in the Officer’s report. Members were satisfied that the driver remains a fit and proper person to hold a Hackney Carriage/Private Hire Driver’s Licence and that a written warning was sufficient.

16 Date of Next Meeting

RESOLVED:

That it be noted that the next meeting of the Licensing and Safety Sub-Committee be held at 10.00 am on Wednesday, 9th March 2016, venue to be confirmed.

Signed (Chairman)

Date: