

Swindon Borough Council

Private Hire and Hackney Carriage Licensing Sub-Committee

Wednesday, 2 June 2010

Function Room, Civic Offices, Swindon (Anticipated meeting room)

At 12.15 p.m.

Conservative Councillors

Andrew Bennett
Brian Ford
Richard Hurley
Colin Lovell
Kevin Parry

Labour Councillors

Junab Ali
John Ballman

Liberal Democrat Councillors

Independent Councillors

Committee Officer: Shaun Banks (Telephone 01793 463606)

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AGENDA

- 1. Appointment of Chair for Municipal Year 2010/11**
- 2. Appointment of Vice-Chair for Municipal Year 2010/11**
- 3. Apologies for Absence**
- 4. Declarations of Interest**

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.
- 5. Minutes** (Pages 1 - 2)

To receive the minutes of the meeting held on 13th April 2010.
- 6. Public Question Time**

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.
- 7. Exempt Items - Exclusion of Press and Public**

Certain items are expected to include the consideration of exempt information and the Standards Committee is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item listed below, on the grounds that it involves the likely disclosure of exempt information, as defined in the

respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

<u>Item No.</u>	<u>Paragraph No.</u>
8	1

8. Appeal against Revocation of a Private Hire Drivers Licence (Pages 3 - 16)

Date of Despatch: 26 May 2010

Public Question Time - Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.

Access Arrangements – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING SUB-COMMITTEE

TUESDAY, 13 APRIL 2010

PRESENT:- Councillors Andrew Bennett (Chair), Doreen Dart, Fay Howard, Kevin Parry and Eric Shaw.

An apology for absence was received from Councillor Michael Dickinson.

18. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

19. Minutes

Resolved – That the minutes of the meeting held on 1st March 2010 be confirmed and signed as a correct record.

20. Public Question Time

Mr. Shelford asked if the Council would compensate Hackney Carriage owners if they were to change the vehicle specification?

Councillor Andrew Bennett responded that no decision had been reached on changes to Hackney Carriage vehicle specifications. This would be the subject of consultation any issue of compensation would be the subject of legal advice based upon any proposed alterations, timescales and other factors.

Mr. Baines asked if a public survey would be undertaken prior to any decision on prohibiting the use of saloon cars as hackney Carriage Vehicles?

Councillor Andrew Bennett noted that public consultation on potential changes would be discussed as part of agenda item 7. He was keen to see a wide range of individuals and groups consulted as part of this process.

Mr. Ellis asked why he had not received a response to a letter he wrote on 16th March?

Councillor Bennett asked officers to investigate the lack of a response to Mr. Ellis as set out in his question.

21. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 8 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 24 refers.)

22. Petition - Use of Saloon Cars as Hackney Carriage Vehicles

The Council's Passenger Transport Officer reported the receipt of a petition opposing any move to cease registering saloon cars as hackney Carriage Vehicles and tabled a copy of the petition for Members' inspection.

The Chair noted that the petition would be considered as part of the consultation process referred to in item 7 on the agenda papers.

23. Hackney Carriage Vehicle Specification Consultation Document

The Sub-Committee (a) an oral report on the meeting of the Hackney Carriage Working Group held on 29th March 2009, (b) a draft Hackney Carriage Vehicle Specification Consultation Document, (c) points raised as part of Public Question Time.

Resolved – (1) That, subject to point one of the Council's proposals be amended to read "*Should the Council continue* to rely solely on the Metropolitan Conditions of Fitness to determine whether a vehicle is suitable to licence as a hackney carriage" the Hackney Carriage Vehicle Specification Consultation Document be approved for consultation.

(2) That approval be given to a consultation period of a minimum of two months and that the consultation list include the Private Hire Drivers Association and Parish Councils.

(3) That the Hackney Carriage Working Group be thanked for their work.

(4) That the results of the consultation process be reported back to this Sub-Committee.

24. Application for Private Hire Driver Licence

The Sub-Committee considered (a) a report of the Group Director, Environment, Regeneration and Community setting out an appeal against the decision by officers not to grant a Private Hire Drivers Licence, (b) an oral report of the Council's Transport Officer and the Team Manager, Safeguarding and Corporate Parenting, and (c) representations by the appellant, his representative in support of his appeal.

Resolved – (1) That the appeal be refused and the driver named in the report be advised of his right to appeal the decision of this Committee to the Swindon Magistrates Court.

The Chair reminded the appellant that if felt aggrieved with the decision of the Sub-Committee he had a right of an appeal, which must be made to the Clerk to the Magistrates Court, Islington Street, Swindon, within twenty-one days of receipt the letter setting out the Sub-Committee's decision.

Agenda Item 8

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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