

A record of the meeting of the Taxi Licensing Sub-Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Wednesday 12 February at 10.30am

### **PRESENT**

Councillor Tony Goodge (Chairman)  
Councillor Chris Morris  
Councillor Philip Read  
Councillor Lavinia Edwards (Reserve Member)

### **IN ATTENDANCE**

Mr Michael Medcalf – Licence Holder  
Mr Martin Lane – Licence Holder's Colleague, Joint Proprietor  
A10 Taxis

### **OFFICERS**

Sarah Steed – Senior Legal Assistant  
Lin Bagwell – Licensing Officer (Enforcement)  
Liz Knox – Head of Environmental Services  
Tracy Couper – Principal Democratic Services Officer

#### **1. ELECTION OF CHAIRMAN**

It was resolved:

That Councillor Goodge be elected as Chairman of the Taxi Licensing Sub-Committee for the duration of the Sub-Committee Hearing.

#### **2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

*As no declarations of interest had been received to make any of the three Members ineligible to serve on the Sub-Committee, the Reserve Member, Cllr Edwards, left the meeting and did not return.*

#### **3. INTRODUCTIONS**

The Chairman invited Members, officers, the Licence Holder and his colleague present to introduce themselves as seated.

4. **EXCLUSION OF THE PRESS AND PUBLIC**

It was resolved:

That the press and public be excluded during the consideration of Item No. 5 because it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1, 2 and 7 Part 1 Schedule 12A of the Local Government Act 1972 (as Amended).

5. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976, PART II – REVIEW OF JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE**

The Taxi Licensing Sub-Committee considered a report (N218), previously circulated, to review a Joint Hackney Carriage and Private Hire Driver Licence, and to decide whether the Licence Holder was a 'fit and proper' person to hold such a licence.

At the request of the Chairman, the Licensing Officer presented the report.

The Licensing Officer read the report to the Sub-Committee in full with the exception of the text contained within the table in paragraph 3.16 of the officer's report. The Licensing Officer also referred to some amendments required to the dates in the table in paragraph 3.16 of the officer's report.

The Licensing Officer advised Members of the background details to the case, the past history of the Licence Holder and why the matter was being referred to the Taxi Licensing Sub-Committee including reference to the Council's Taxi and Private Hire Guide (Blue Book). The Licensing Officer also read out a copy of a File Note detailing further contact with the Licence Holder and information obtained subsequent to the despatch of the Sub-Committee Agenda.

The Rehabilitation of Offenders Act 1974 did not apply to individuals applying for a licence or renewing a licence as a Joint Hackney Carriage and Private Hire driver. In determining fitness for the grant of a driver licence, Members could consider all matters relating to an Applicant/Licence Holder and take into account previous history, past convictions, cautions, warnings or other relevant matters, even where such convictions would normally be considered 'spent' under the Rehabilitation of Offenders Act 1974.

In making their decision, Members had to give consideration to Sections 51 and 59 and 61 of the Local Government (Miscellaneous Provisions) Act 1976, Part II.

The Council had a duty to ensure that a safe and secure taxi service was available to the travelling public. The over-riding consideration for Members of the Taxi Licensing Sub-Committee when making their decision was the safety, well-being and protection of the travelling public.

Every case should be dealt with on its own merits. Members were requested to consider the options set out in the report regarding the review of the Joint Hackney Carriage and Private Hire Driver Licence in order to determine whether the driver was a fit and proper person and must give reasons for their decision(s).

At the conclusion of the officer's presentation, the Chairman asked the Licence Holder whether he was content with the accuracy of the officer's report. The Licence Holder confirmed that the officer's report was accurate but provided additional supporting information on the circumstances.

The Chairman provided an opportunity for Members to ask questions of the Licensing Officer (Enforcement).

There being no other questions for the Licensing Officer (Enforcement) the Chairman invited the Licence Holder to address the committee in support of his case. Subsequently Members asked questions of the Licence Holder.

The Chairman invited the Licence Holder's Colleague to address the Sub-Committee in support of the Licence Holder.

The Chairman provided the Licence Holder with a final opportunity to address the Sub-Committee and Members raised some questions of clarification on the closing statement of the Licence Holder before it retired to deliberate.

There being no further comments or questions, the Chairman announced that the Sub-Committee would retire to deliberate on the matter and would then return to announce its decision.

The Taxi Licensing Sub-Committee retired from Committee Room 2 at 11.06am. The Taxi Licensing Sub-Committee returned to Committee Room 2 at 11.36am.

Upon returning to the Council Chamber, the Chairman announced that the Taxi Licensing Sub-Committee had made a decision.

The Chairman announced that the Taxi Licensing Sub-Committee had decided to renew the Licence Holder's joint Hackney Carriage and Private Hire driver licence. The Chairman provided the

reasons why the Taxi Licensing Sub-Committee had reached its decision.

The Senior Legal Assistant advised those present that the decision notice would be sent to the Applicant within 7 days and that the Applicant had a right of appeal within 21 days from receipt of the notice.

It was resolved:

To renew the Joint Hackney Carriage and Private Hire Driver's Licence of Mr Michael John Medcalf for the reasons given by the Taxi Licensing Sub-Committee.

The meeting concluded at 11.39am.

Draft Minutes