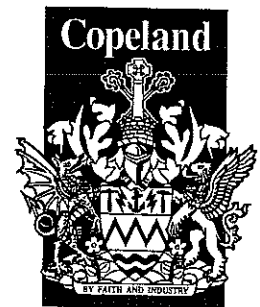


# AGENDA



## TAXI AND GENERAL LICENSING PANEL

**Venue:** The Bainbridge Room  
**Date:** Tuesday 9<sup>th</sup> June 2009  
**Time:** 09.00 am  
**Contact Officer:** C A Boyce, Legal Services Manager  
**Lead Officer:** C A Boyce, Legal Services Manager

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1. **Appointment of Deputy Chairman for the year 2009/10.**
2. **Minutes of the meeting held on 3<sup>rd</sup> March 2009.**
3. **Apologies for absence.**
4. **Order of Agenda Items:** To consider the order in which the agenda items will be taken.
5. **Items for which the Press and the Public will be Excluded:** To consider which agenda items will be considered with the press and public excluded, on the grounds that there is likely to be a disclosure of confidential information in breach of an obligation of confidence, or exempt information as defined in Schedule 12A of the Local Government Act 1972.

### Exempt Items

To consider the following items of report, for which it is likely that the meeting will not be open to the public, and which have been excluded from public inspection:-

<u>Subject</u>	<u>Category of Exempt Information</u>
6. Grant of a Hackney Carriage Driver's Licence	1
7. Offence Committed during the Continuance of a Hackney Carriage Driver's Licence	1

**Membership:** Councillor P Tyson (Chairman); R S Cole; D Banks; J E Prince; R Salkeld; M. Woodburn; A Wonnacott.

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## TAXI AND GENERAL LICENSING PANEL

### MINUTES OF THE MEETING HELD ON 3<sup>RD</sup> MARCH 2009

**Present:** Councillors P C Connolly (Chairman); S J Meter; R S Cole; J E Prince; J G Sunderland; P D Tyson; and A Wonnacott.

**Officer:** Mr C A Boyce, Legal Services Manager.

#### Minutes

The Minutes of the meeting held on the 10<sup>th</sup> February 2009 were signed by the Chairman as a correct record.

#### Apologies for Absence

None.

#### **TGLP 18**     Hackney Carriage Vehicle – Table of Fares

Further to the meeting of the Panel held on the 10<sup>th</sup> February 2009 Members considered a report explaining why the Hackney Carriage Vehicle Table of Fares should not be amended at the present time. It was noted that the Table of Fares was increased at the Panels meeting on the 10<sup>th</sup> June 2008 to reflect increase in fuel costs. As fuel costs have now reduced consideration was given as to whether the Table of Fares should also be reduced. After consideration of the matter it was –

**RESOLVED** that no change be made to the Hackney Carriage Table of Fares during the financial year 2009/2010 unless exceptional circumstances occurred. Such exceptional circumstances being a significant increase in the cost of petrol higher than what they were in June 2008 or the cost of living generally increases.

#### **TGLP 19**     Amendment of Constitution

A report was considered which consolidated amendments made to the terms of reference for committees carrying out licensing functions. Whilst most of the amendments were consolidating previous delegations made by the Panel the split of delegation between the Panel and the Head of Legal and Democratic Services and the Head of Leisure and Environmental Services in dealing with drivers convictions was being amended. Members requested that the guidelines on conviction be revisited and

consideration given to a better separation of delegated functions.

**RESOLVED** - that the matter be deferred until the next meeting of the Panel on the 21<sup>st</sup> April 2009.

**TGLP 20**      **Testing of Hackney Carriage and Private Hire Vehicles – First Aid Kits**

The Panel considered a report which detailed difficulties that proprietors were having in complying with that part of the Hackney Carriage and Private Hire Vehicle Testing Manual which related to first aid kits. It was noted that the Copeland Taxi Association had requested that the requirement for a first aid kit to be provided be deleted from the Testing Manual on the basis that first aid kits being purchased from retailers had contents with differing expiry dates that there is no requirement for a first aid kit to actually be provided to an injured passenger, the drivers themselves are not trained in first aid and that normal vehicle insurance does not cover a first aid kit or the application of first aid. Due to the complications arising from the requirement it was -

**RESOLVED** That that part of the Manual relating to first aid kits be amended so that the provision of a first aid kit became discretionary so that the three substantive columns in row 8 of the Manual relating to first aid kits are deleted and that the second column is replaced by the wording "subject to any statutory requirements which may from time to time exist, this requirement is discretionary and a failure to provide a first aid kit will not result in failure. Where a first aid kit is provided the proprietor is advised to make sure that its contents are within the expiry date for use and that adequate insurance is in place to cover the provision of first aid equipment to an injured passenger"

**TGLP 21**      **Equality and Diversity – Amendment of Conditions and Policies**

Further to minute TGLP 15 the Panel now considered proposed amendments to policies and conditions to ensure that the documents were more readable. Members raised issues with the substantive content on the policies which required further consideration by officers.

**RESOLVED** - That the matter be deferred until the next meeting of the Panel on the 21<sup>st</sup> April 2009.

**TGLP 22**      **Exclusion of Press and Public**

**RESOLVED** – that the press and public be excluded from the meeting for the following items of business on the grounds of likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A of the Local Government Act 1972.

**TGLP 23      Renewal of Hackney Carriage Drivers Licence**

Consideration was given to an application for the renewal of a Hackney Carriage Drivers Licence submitted by SJA. The Panel were advised of the driving convictions which had been disclosed on a self certification form and which had not previously been taken into account on a previous licence application. A conviction in December 2008 had resulted in the Court giving consideration to disqualification but due to exceptional hardship had decided that disqualification should not be imposed. The applicant outlined the details of each offence. In mitigation the Panel took into account the applicants medical circumstances, the fact that the offences were not committed in a taxi, the mitigating circumstances regarding the offence of overtaking and other personal information. After consideration of the matter it was

**RESOLVED** – that the licence be renewed but restricted to a period of 6 months and that provided that no further convictions, cautions or evidence indicating an offence occur during that period that a further licence for 6 months be granted without reference to the Panel.

The meeting closed at 11.50am.

Chairman

