

Time commenced : 6.05 pm  
Time finished : 6.20 pm

**TAXI LICENSING AND APPEALS COMMITTEE**  
**25 APRIL 2007**

Present: Councillor Redfern (Chair)

Councillors Baxter, Berry, Bolton, Hickson, Hird, Jackson, Leeming, Lowe  
and Skelton

**38/06 Apologies**

Apologies for absence were received from Councillors Dhamrait, Hussain,  
S Khan, Poulter and Richards.

**39/06 Late items introduced by the Chair**

There were no late items.

**40/06 Declarations of Interest**

There were no declarations of interest.

**41/06 Minutes of the Previous Meeting**

The minutes of the meeting held on 14 February 2007 were approved as a correct  
record and signed by the Chair.

**42/06 Appeal Against Refusal to Grant a Hackney Carriage  
Drivers Licence**

The Committee considered a report from the Director of Corporate and Adult Social  
Services regarding an appeal against the refusal to grant a Hackney Carriage drivers  
licence. It was reported that the appellant had appealed against the Council's decision  
to refuse him a Hackney Carriage drivers licence to the Southern Derbyshire  
Magistrates' Court. The matter was listed for a first hearing on 23 February 2007,  
which was adjourned until 29 March 2007.

Having heard all the evidence the District Judge concluded that the Appellant was not  
a fit and proper person to hold a licence and the decision of the Council to refuse the  
licence was upheld.

The Council's solicitor made an application for costs of £470, but due to the appellants  
dire financial circumstances no order was made.

**Resolved to note the outcome of the appeal against the refusal to grant a  
Hackney Carriage drivers licence to Orlando Colella – the appellant.**

**43/06 Proposed Changes to Private Hire Operators' Licence  
Conditions – Receiving Bookings by Text**

The Committee considered a report from the Director of Environmental Services that detailed suggested amendments to the Private Hire Operators' Licence Conditions that would allow the receipt of bookings by text messages or email.

David Dowbenko – Principal Licensing Officer - reported that at the last meeting of the Committee different methods of making a booking with a Private Hire Operator were proposed. Members requested that the Director of Environmental Services report back to the next meeting with amendments to the Private Hire Operators' Conditions. The proposed amendment was to Condition 11 (a) (vi) set out in the report at appendix 3.

Councillor Hickson raised concerns that customers mobile numbers and email addresses might be passed on to other companies for use and suggested that a condition should be included to prohibit any other use other than for bookings of a Private Hire vehicle.

### **Resolved**

- 1. to approve the suggested amendments to Private Hire Operators Licence Conditions, as set out in the report, allowing the receipt of bookings by text messages or email**
- 2. to include an addition condition to ensure that email addresses and mobile numbers were not gathered and passed on to third parties and not used for any other purpose than for the booking requested.**

### **44/06      Effects of Recent Change in Legislation – The Road Safety Act 2006 (Commencement No.1) (England and Wales) Order 2007**

The Committee considered a report from the Director of Environmental Services that detailed the effects of the recent change in legislation to the Road Safety Act 2006 (Commencement No.1) (England and Wales) Order 2007.

It was reported that on 16 March 2007 the Order brought into force Section 52 of the Road Safety Act 2006, that allows the Council to suspend or revoke a Hackney Carriage or Private Hire Vehicle driver's licence with immediate effect where it was in the interests of public safety to do so.

Councillor Redfern noted that if a licence was suspended or revoked immediately, the decision was appealed and the judge went against the Council's decision, the Council might have to pay loss of earnings.

### **Resolved:**

- 1. to note the report**
- 2. to establish a cross party working group, after the local election and the Annual General Meeting on 23 May 2007, that would consider any necessary changes to the current taxi licensing guidelines. The group will report back to a future meeting of the Committee with proposed revisions to the guidelines.**

MINUTES END