

TAXIS COMMITTEE

Wednesday 25th April, 2012 at 5.00 p.m.
In Committee Room 4 at the Council House, Dudley

PRESENT:-

Councillor James (Chairman)
Councillor Southall (Vice Chairman)
Councillors Mrs Ameson, A. Aston, Mrs Aston, Body (from Minute No. 169),
Miss J Cowell and Ryder.

Officers:-

Assistant Director, Law and Governance, Licensing Officer and Mrs K Taylor
(all Directorate of Corporate Resources)

Also in attendance:-

Mr TP, Licensing Enforcement Officer (Directorate of Corporate Resources),
and PC CW, Complainant, in respect of agenda item 7 – Review of Private
Hire and Hackney Carriage Drivers' Licences – Mr SB

163. **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors Mrs Dunn, K Turner and Ms Wood.

164. **APPOINTMENT OF SUBSTITUTE MEMBERS**

It was reported that Councillors Ryder and Mrs. Aston had been appointed as
substitute members for Councillor Mrs. Dunn and Ms Wood respectively for
this meeting of the Committee only.

165. **DECLARATIONS OF INTEREST**

No Member made a declaration of interest, in accordance with the Members'
Code of Conduct, in respect of any matter to be considered at this meeting.

166. **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 14th March, 2012,

be approved as a correct record and signed.

167. EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A to the Local Government Act, 1972, as indicated below and in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant Paragraph of Part I of Schedule 12A</u>
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr SB	1
Review of Hackney Carriage Driver's Licence – Mr AI	1
Renewal of Hackney Carriage Driver's Licence – Mr TSS	1
Grant of Hackney Carriage and Private Hire Drivers' Licences – Mr AA	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr JA	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr IH	1
Review of Private Hire Driver's Licence – Mr NH	1

168. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR SB

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr SB in the light of a complaint received.

Mr SB and the complainant in this matter PC CW and Mr TP, Licensing Enforcement Officer were in attendance.

In responding to a question from the Assistant Director, Mr SB confirmed that he was content that the Committee understood the content of the report and that it was not necessary for the Licensing Officer to present the report.

Mr SB made representations disputing the content of the statement made by PC CW.

All parties responded to questions asked by the Committee, and arising from questions asked, it was confirmed by Mr SB that he accepted that he had spit out of his vehicle.

Mr SB informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the private hire and hackney carriage drivers' licences issued to Mr SB be suspended for a period of one month in the light of the complaint made in respect of the conduct of Mr SB as indicated in the report submitted.

Mr SB was informed of his right to appeal the decision of the Committee.

169. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR AI

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr AI, in the light of the information contained in the report submitted.

Mr AI was in attendance at the meeting and responded to questions asked by the Committee, in particular, the circumstances surrounding the delay in renewing his M.O.T certificate.

During the consideration of this matter, in the light of evidence given, concerns were raised by members of the Committee of the possible repercussions and the safety of members of the public had there been an accident whilst Mr AI did not have a valid M.O.T certificate.

Following questions and comments made, Mr AI informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the hackney carriage driver's licence issued to Mr AI be suspended for a period of two weeks.

Mr AI was informed of his right to appeal the decision of the Committee.

170. RENEWAL OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR TSS

A report of the Director of Corporate Resources was submitted on the renewal of the hackney carriage driver's licence issued to Mr TSS.

Mr TSS was in attendance at the meeting, and informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That approval be given to the renewal of the hackney carriage driver's licence issued to Mr TSS for a period of six months.

171. GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR AA

A report of the Director of Corporate Resources was submitted on an application made on behalf of Mr AA for the grant of hackney carriage and private hire drivers' licences.

Mr AA was in attendance at the meeting, together with his representative a Mr Nasar.

Mr Nasar made representations on behalf of Mr AA, and in particular, provided details in relation to the two offences for which Mr AA had been convicted on 17th March, 2008 as indicated in paragraph 9 of the report submitted.

Mr Nasar responded to questions asked by the Committee on behalf of Mr AA and informed the Committee that Mr AA had no matters pending that they needed to be made aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the application made for the grant of hackney carriage and private hire drivers' licences in respect of Mr AA be refused, in the light of the driving related offences for which he had been convicted, as he was not a fit and proper person.

Mr AA was informed of his right to appeal the decision of the Committee.

172. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR JA

A report of the Director of Corporate Resources was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr JA, in the light of the Fixed Penalty Notice received as indicated in paragraph 8 of the report submitted.

The Licensing Officer informed the Committee that she had received notification that Mr JA would not be in attendance at the meeting, and that Mr JA requested that the matter be deferred pending a decision as to whether Mr JA wanted to appeal the Fixed Penalty Notice issued on 30th March, 2012.

Having decided to hear the matter in his absence it was

RESOLVED

That, following careful consideration of the information contained in the report submitted, the private hire and hackney carriage drivers' licences issued to Mr JA be suspended for a period of two months in view of this being the second occasion that Mr JA had been convicted of using a mobile phone whilst driving.

173. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR IH

A report of the Director of Corporate Resources was submitted on an application made on behalf of Mr IH for the grant of private hire and hackney carriage drivers' licences in the light of his failure to pass, on three separate occasions, his test for local knowledge.

Mr IH was in attendance at the meeting together with two supporters, and responded to questions asked by the Committee.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, no action be

taken on the application made for the grant of private hire and hackney carriage drivers' licences and that it be noted that Mr IH would take a further drivers knowledge test in approximately six months.

174. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR NH

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr NH, in the light of his failure to report an accident to his vehicle within 72 hours.

Mr NH was in attendance at the meeting.

Following the presentation of the report, the Licensing Officer informed the Committee that since the writing of the report Mr NH had submitted an application for the renewal of his private hire driver's licence.

Mr NH responded to questions asked by the Committee in relation to his failure to report the accident, and informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That Mr NH receive a verbal warning in relation to the matter referred to in the report submitted.

175. COMMENTS OF THE CHAIRMAN

This being the last scheduled meeting of the Committee in the current municipal year, the Chairman thanked Members and Officers for their help and support throughout the municipal year.

176. THANKS TO THE CHAIRMAN

At the conclusion of the meeting the Chairman was thanked for the able manner in which he had conducted meetings of the Committee during the preceding twelve months.

The meeting ended at 6.30 p.m.

CHAIRMAN