

## **TAXIS COMMITTEE**

Thursday 7<sup>th</sup> January, 2010 at 4.00pm  
in Committee Room 4 at the Council House, Dudley

### **PRESENT:-**

Councillor Mrs Ameson (Chairman)  
Councillor K Turner (Vice-Chairman)  
Councillors Attwood (part of the meeting only), Mrs Blood, J. Martin and Wright.

### **Officers**

Interim Assistant Director (Legal and Democratic Services), Licensing Officer, and Miss K Wilson (Directorate of Law, Property and Human Resources).

### **Also in attendance**

In respect of Agenda Item 5 – Mr P Lloyd, Policy and Compliance Manager (Directorate of the Urban Environment) and Mr M Hanson, Licensing Clerk - also for the remainder of the meeting as an observer (Directorate of Law, Property and Human Resources).

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### **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Body, Mrs Greenaway, James, Mrs Roberts and Ms While-Cooper.

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### **APPOINTMENT OF SUBSTITUTE MEMBERS**

It was noted that Councillors J. Martin and Wright had been appointed as substitute members for Councillors Mrs Greenaway and Ms While-Cooper respectively, for this meeting of the Committee only.

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### **DECLARATIONS OF INTEREST**

There were no declarations of interest from Members in accordance with the Members' Code of Conduct.

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### **MINUTES**

RESOLVED

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REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE  
LICENCE POLICY

A report of the Director of Corporate Resources was submitted on a review of the Council policy in respect of spare wheels carried by private hire and hackney carriage vehicles.

The Licensing Officer presented the report and introduced Mr Lloyd, Policy and Compliance Manager, and Mr Hanson, Licensing Clerk, who were also in attendance.

Arising from the presentation of the report, reference was made to paragraph 18 of the report submitted. It was suggested that the policy should be amended to state that if a private hire and hackney carriage vehicle is driven on emergency or temporary replacement wheels and tyres then the driver is able to continue the journey, but should not accept new bookings.

During consideration of this matter, the Committee considered that the run-flat tyre system and inflator packs as described in the report submitted were unacceptable and should not be used as emergency or replacement tyres.

In responding to a query from a Member, Mr Lloyd confirmed that the life expectancy of space saver tyres was approximately one hundred miles.

Reference was made to the use of space saver tyres and the Committee requested that future cases regarding the use of space saver tyres should be considered on an individual basis.

Following further discussion it was

RESOLVED

That, subject to the following amendments, the existing Private Hire and Hackney Carriage Vehicle Licence policy be retained: -

- (i) Any vehicle fitted with a runflat system or pre/post puncture sealants will not be licensed as a private hire vehicle or a hackney carriage.
- (ii) Any application to consider a vehicle fitted with a Space Saver spare wheel must attend the Council's Lister Road Taxi/Private Hire Testing Station for a free inspection of the tyre. Following this inspection the matter will be referred to the Taxis Committee for their determination.
- (iii) Any private hire vehicle licence or a hackney carriage licence granted by the Taxis Committee with a space saver spare wheel will have conditions of licence attached to the private hire vehicle licence or the hackney carriage driver's licence.

Private Hire Operator's Licences will be amended with the addition of the following conditions: -

- (iv) Any Operator must ensure that all driver's working from his base are aware of the conditions placed upon both private hire vehicle licences and hackney carriage driver's licences in relation to the provision of spare tyres and wheels.
- (v) No booking of any kind shall be passed to any driver whose vehicle has sustained any damage to his wheel or tyre causing him to use a space saver spare tyre until the aforementioned wheel or tyre is replaced with an appropriate and legal full size replacement wheel and tyre.

#### FLEET INSURANCE POLICY

A report of the Director of Corporate Resources was submitted on the representations made to both the Council and the Ombudsman in relation to the Council's fleet insurance policy.

The Licensing Officer presented a summary of the report.

Following further discussion it was

RESOLVED

That, arising from consideration of the representations made to the Council and the Ombudsman in relation to the Council's fleet insurance policy, no variation be made to the Council's fleet insurance policy.

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At this juncture, the Committee adjourned until 6.00pm and Councillor Attwood attended the meeting.

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#### 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 I 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 Hackney Carriage Driver's Licence – Mr KR	1
Review of Private Hire Driver's Licence – Mr AB	1
Review of Private Hire Driver's Licence – Mr MA	1
Review of Private Hire Driver's Licence – Miss SK	1
Renewal of Private Hire Driver's Licence – Mr AM	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr AH	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr FA	1

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#### CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That the remaining items of business be considered in the following order:-

Agenda Item numbers 10, 14, 9, 12, 13, 15 and 11.

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REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR AB

A report of the Director of Corporate Resources was submitted on the review of the private hire driver's licence issued to Mr AB, in the light of the offence committed as indicated in paragraph 3 in the report submitted.

Mr AB, and his representative, were in attendance at the meeting, and responded to questions asked by the Committee. Mr AB also informed the meeting that there were no matters pending that they needed to be aware of.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the private hire driver's licence issued to Mr AB be suspended for a period of three months with immediate effect in the interest of public safety and in view of the offence for which he had been convicted.

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

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RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR AH

A report of the Director of Corporate Resources was submitted on the renewal of the private hire and hackney carriage drivers' licences issued to Mr AH, in the light of the information contained in the report submitted.

Mr AH was in attendance at the meeting, and responded to questions asked by the Committee. He also informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That, following consideration of the information contained in the report submitted, and as reported at the meeting, the application for the renewal of the private hire and hackney carriage drivers' licences issued to Mr AH be refused in view of the offences for which he had been convicted of.

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

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REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR KR

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

Mr KR was in attendance at the meeting, and informed the Committee that he had appealed the decision of the Court in relation to his convictions as indicated in paragraph 9 of the report submitted.

The Licensing Officer stated that she had been informed that an appeal had not been received in adequate time to the courts.

Mr KR responded to questions asked by the Committee and informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

- (1) That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, no further action be taken until Mr KR has submitted an appeal and send a letter to the Licensing Officer confirming the date of the appeal.
  - (2) That should Mr KR fail to send a letter to the Licensing Officer, the matter be considered at the next meeting of the Committee.
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REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MISS SK

A report of the Director of Corporate Resources was submitted on the review of the private hire driver's licence issued to Miss SK, in the light of her failure to disclose a caution as indicated in paragraph 6 of the report submitted.

Miss SK, together with her representative a Mr Schiller of Dennings Solicitors, was in attendance at the meeting.

Mr Schiller made representations on behalf of his client and responses were given to questions raised by the Committee.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, Miss SK's private hire driver's licence be suspended for a period of one month in view of Miss SK's failure to disclose her caution.

Miss SK was informed of her right to appeal the decision of the Committee.

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140      RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR AM

A report of the Director of Corporate Resources was submitted on the renewal of the private hire driver's licence issued to Mr AM, in the light of the offences committed as indicated in paragraph 18 of the report submitted.

Mr AM was in attendance at the meeting and responded to questions asked by the Committee. He also informed the meeting 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, Mr AM receive a strong written warning as to his future conduct.

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141      RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR FA

A report of the Director of Corporate Resources was submitted on the renewal of the private hire and hackney carriage drivers' licences issued to Mr FA, in the light of the information contained in the report submitted.

Mr FA was in attendance at the meeting, together with a Mr Schiller of Dennings Solicitors.

Mr Schiller made representations on behalf of his client and responses were given to questions raised by the Committee. He also informed the meeting that Mr FA 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, approval be given to the renewal of the private hire and hackney carriage drivers' licences issued to Mr FA for a period of six months and that any future renewals be dealt with by officers under delegated powers, provided that Mr FA had no offences pending at the time of renewal.

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142      REVIEW OF PRIVATE HIRE DRIVER'S LICENCE - MR MA

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr MA, in the light of the convictions as indicated in paragraph 20 in the report submitted.

Mr MA was not in attendance and notification had been received from him that he would be unable to attend. 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 driver's licence issued to Mr MA be revoked with immediate effect in the interest of public safety and the offences for which he had been convicted.

The meeting ended at 7.35pm.

CHAIRMAN