

TAXIS COMMITTEE

Tuesday 13th May, 2008 at 6.00 p.m.
in Committee Room 4 at the Council House, Dudley

PRESENT:-

Councillor Mrs Ameson (in the Chair)
Councillors Mrs Blood, Mrs Faulkner, Hill, A Turner and While-Cooper

Officers

Principal Solicitor, Mr M Farooq (Legal and Democratic Services) and Mr
P T Furidze (Directorate of Law and Property).

169 **DECLARATIONS OF INTEREST**

- (a) Councillor A. Turner declared a Personal and Prejudicial Interest, in accordance with the Members' Code of Conduct in agenda item nos. 7 and 8 in view of the complainants being personally known to him.
- (b) Councillor A. Turner declared a Personal Interest, in accordance with the Members' Code of Conduct in agenda item no. 9 in view of him having reported a driver to the Licensing Enforcement Office.
- (c) Councillor Mrs Faulkner declared a Personal and Prejudicial Interest, in accordance with the Members' Code of Conduct in agenda item no. 9 in view of her having reported two drivers to the Licensing Enforcement Office.

170 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 23rd April, 2008, be approved as a correct record and signed.

171 **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 Private Hire and Hackney Carriage Drivers' Licences and Review of Private Hire Operator's Licence – Mr NI	1
Review of Private Hire Driver's Licence – Mr MA	1
Review of Private Hire and Hackney Carriage Drivers' Licences for Non-Display of Roof Signs – Mr AH and 15 others	1

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REVIEW OF A PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES AND REVIEW OF PRIVATE HIRE OPERATOR'S LICENCE – MR NI

(Having previously declared a Prejudicial Interest in this matter, Councillor A Turner left the room during consideration of the item.)

A report of the Director of Law and Property was submitted on a review of the private hire and hackney carriage drivers' licences and private hire operator's licence issued to Mr NI, in the light of the complaint referred to in the report submitted.

The Committee was informed that Mr NI's case was related to another case on the agenda for this meeting, that of Mr MA. Mr NI was the private hire operator and Mr MA was the driver against whom the complaint was received.

Mr NI, together with his representatives, was in attendance at the meeting and responded to questions asked by the Committee in relation to the complaint received. He also indicated that there were no matters pending that they needed to be made aware of.

RESOLVED

That, as the Committee was not convinced by Mr NI's explanations of the events surrounding the complaint made including the measures he claimed to have put in place to prevent a recurrence, and following careful consideration of the information contained in the report submitted and as reported at the meeting, Mr NI's private hire operator's licence, be suspended for two weeks.

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

That, no action be taken in respect of the private hire and hackney carriage drivers' licences held by Mr NI.

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REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR MA

(Having previously declared a Personal and Prejudicial Interest in this matter, Councillor A Turner left the room during consideration of the item.)

A report of the Director of Law and Property was submitted on a review the private hire driver's licence issued to Mr MA in the light of a complaint from a member of the public.

Mr MA, was not in attendance at the meeting and it was agreed that the matter be heard in his absence as he had been informed in writing of the hearing and it had been explained in the letter sent to him that if he did not attend the matter may be heard in his absence.

Following consideration of the content of the report submitted, the Committee was satisfied that Mr MA had been rude to his passengers and exhibited poor customer service. The Committee noted the absence of violence or threats of violence towards Mr MA's passengers.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, Mr MA be issued with a strong warning as to his future conduct.

Mr MA would be informed of his right to appeal the decision of the Committee

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS'
LICENCES FOR NON-DISPLAY OF ROOF SIGNS – MR AH AND 15
OTHERS

(Having previously declared a Personal and Prejudicial Interest in this matter, Councillor Mrs Faulkner left the room during consideration of the item. Councillor A Turner also left the room during consideration of the item.)

A report of the Director of Law and Property was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr AH and fifteen other drivers, in the light of their failure to display roof signs as required by condition 4b(3) of their private hire drivers' licences. The details of each case were referred to in appendices 1 to 16 of the report submitted.

The Committee noted that the majority of the drivers were in attendance and since the letters notifying them of the hearing had informed the drivers that hearings could be held in their absence if they chose not to appear before the Committee, it was decided to proceed with the hearing in the absence of those drivers who were not in attendance. The Committee also noted that the offence of non-display of roof signs together with most of the reasons for such non-display were of a similar nature and, with the consent of the drivers and their representative, it was decided to hear the cases as one.

A number of the drivers submitted information to the Committee in support of their cases and responded to questions from the Committee. The drivers, through their representative, also informed the Committee 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 the representations made at the meeting, Mr AH be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr AH be advised of his right to appeal the decision of the Committee.

- (2) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr KM be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr KM be advised of his right to appeal the decision of the Committee.

- (3) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr HS be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr HS be advised of his right to appeal the decision of the Committee.

- (4) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr MA be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr MA be advised of his right to appeal the decision of the Committee.

- (5) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr AR be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr AR be advised of his right to appeal the decision of the Committee.

- (6) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr MT be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr MT be advised of his right to appeal the decision of the Committee.

- (7) That, following careful consideration of the information contained in the report submitted, and the representations made on his behalf at the meeting in view of his absence, Mr AS be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr AS would be advised of his right to appeal the decision of the Committee.

- (8) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr GA be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr GA be advised of his right to appeal the decision of the Committee.

- (9) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr MM be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr MM be advised of his right to appeal the decision of the Committee.

- (10) That, following careful consideration of the information contained in the report submitted, and the representations made on his behalf at the meeting in view of his absence, Mr MS be issued with a final warning for non-display of roof sign in breach of condition 4b(3) of the private hire driver's licence.

That Mr MS would be advised of his right to appeal the decision of the Committee.

- (11) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr AK be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr AK be advised of his right to appeal the decision of the Committee.

- (12) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr TI be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr TI be advised of his right to appeal the decision of the Committee.

- (13) That, following careful consideration of the information contained in the report submitted, and the representations made on his behalf at the meeting in view of his absence, Mr AA be issued with a final warning for non-display of roof sign in breach of condition 4b(3) of the private hire driver's licence.

That Mr AA would be advised of his right to appeal the decision of the Committee.

- (14) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr RQA be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr RQA be advised of his right to appeal the decision of the Committee.

- (15) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr TA be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr TA be advised of his right to appeal the decision of the Committee.

- (16) That, following careful consideration of the information contained in the report submitted, and the representations made at the meeting, Mr YQ be issued with a final warning for non-display of a roof sign in breach of condition 4b(3) of his private hire driver's licence.

That Mr YQ be advised of his right to appeal the decision of the Committee.

The meeting ended at 8.45pm.

CHAIRMAN