

TAXIS COMMITTEE

Wednesday 17th March, 2010 at 6.00pm
in Committee Room 4 at the Council House, Dudley

PRESENT:-

Councillor Mrs Ameson (Chairman)
Councillor K Turner (Vice-Chairman)
Councillors Mrs Blood, Mrs Greenaway, James, J. Martin, Mrs Roberts,
While-Cooper and Wright.

Officers

Mr T Holder, Solicitor (Legal and Democratic Services), Licensing Officer,
and Miss K Wilson (Directorate of Law, Property and Human Resources).

Also In Attendance

In respect of Agenda items 5 and 6 – Mr S Saleem (Dudley Private Hire
Trade) and Mr M Ali (Dudley Taxi Alliance)

157 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of
Councillor Body.

158 **APPOINTMENT OF SUBSTITUTE MEMBER**

It was noted that Councillor J Martin had been appointed as substitute
member for Councillor Body, for this meeting of the Committee only.

159 **DECLARATIONS OF INTEREST**

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

160 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 10th
February, 2010, be approved as a correct record and signed.

161

LICENCE FEES

A joint report of the Director of Corporate Resources and Interim Director of Finance was submitted on the fees to be charged for the grant and renewal of a three year private hire or/and hackney carriage drivers licence.

Following a brief discussion it was

RESOLVED

That approval be given in respect of the fees for the grant and renewal of a three year private hire or/and hackney carriage drivers licence, as set out in paragraph 3 of the report submitted.

162

REVIEW OF POLICY IN RESPECT OF APPLICATIONS FOR THE GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES

A report of the Director of Corporate Resources was submitted seeking a review the policy in respect of applications for the grant of private hire and hackney carriage drivers' licences.

Arising from the presentation of the report by the Licensing Officer, it was noted that a letter written by Mr Saleem and Mr Ali had been circulated to the Chairman and Vice-Chairman prior to the Committee.

The Solicitor advised that as the letter had been received only on this day, the Committee should consider the submitted report only, and that a further report would be submitted to the Focus Group on the information contained in the letter, and to the Committee at a future date. This advice was accepted by the Committee. Mr Saleem and Mr Ali confirmed that they were happy with the procedure proposed.

RESOLVED

- (1) That the policy in respect of applications for the grant of private hire and hackney carriage drivers' licences, as set out in the appendix to the report submitted, be approved.
- (2) That a report on the issues raised by Mr Saleem and Mr Ali in their letter be submitted to the Committee at a future meeting.

163

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 Vehicle Licence – Mr CH	1
Review of Hackney Carriage Driver’s Licence – Mr KR	1
Refusal of Private Hire and Hackney Carriage Drivers’ Licences – Mr NM	1
Renewal of Private Hire and Hackney Carriage Drivers’ Licences – Mr MF	1
Review of Private Hire Driver’s Licence – Mr MS	1
Review of Private Hire Driver’s Licence – Mr KA	1
Review of Private Hire and Hackney Carriage Drivers’ Licences – Mr MS	1
Revocation or Private Hire and Hackney Carriage Drivers’ Licences – Mr ZH	1
Revocation of Private Hire and Hackney Carriage Drivers’ Licences – Mr MM	1
Grant of Private Hire and Hackney Carriage Drivers’ Licences – Mr AH	1
Renewal of Private Hire and Hackney Carriage Drivers’ Licences – Mr ZH	1
Grant of Private Hire and Hackney Carriage Drivers’ Licences – Mr AA	1
Review of Private Hire Driver’s Licence – Mr MTA	1

Review of Private Hire and Hackney Carriage Drivers' Licences – Mr AK	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr SA	1

164 REVIEW OF PRIVATE HIRE VEHICLE LICENCE – MR CH

A report of the Director of Corporate Resources was submitted on a request for special dispensation with regard to the use of a space saver spare tyre on a private hire vehicle, in light of the information contained in the report submitted.

Mr CH, and his representative, were in attendance at the meeting and responded to questions asked by the Committee.

It was noted that Mr CH had replaced the space saver spare tyre with a normal tyre in accordance with the manufacturer's requirements.

RESOLVED

That no action be taken due to Mr CH replacing his space saver spare tyre with a standard tyre in accordance with the manufacturer's requirements.

165 REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR KR

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

Mr KR was in attendance at the meeting.

It was noted that Mr KR's solicitor had contacted the Licensing Officer to request that the Committee consider deferring the application on the grounds of Mr KR appealing against his convictions, as indicated in paragraph 12 of the report submitted.

The Committee considered the request and decided to hear the matter in the absence of Mr KR's solicitor.

Mr KR responded to questions asked by the Committee in relation to the convictions.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, in the interest of public safety, the hackney carriage driver's licence issued to Mr KR be suspended with immediate effect until the outcome of his appeal is known and for the reason that the Committee do not consider him to be a fit and proper person.

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

Following the conclusion of this item, Councillor While-Cooper joined the meeting.

166

REFUSAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR NM

A report of the Director of Corporate Resources was submitted on the refusal of the application received from Mr ZM for the grant of a private hire and hackney carriage drivers' licences, in light of the convictions as outlined in paragraph 15 of the report submitted.

RESOLVED

That, for the reasons indicated in paragraph 16 of the report submitted, the grant of a private hire and hackney carriage drivers' licences to Mr NM be refused.

167

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

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 MF, in light of the information contained in the report submitted.

Mr MF was in attendance, together with a representative, 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 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 MF for a period of three months.

168

REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR MS

A report of the Director of Corporate Resources was submitted on a review of the private hire driver licence issued to Mr MS, in the light of the offence committed as indicated in paragraph 36 of the report submitted.

Mr MS and his representative were 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, the Private Hire Driver's Licence issued to Mr MS be suspended for a period of one month in view of the offence for which he had been convicted.

169

REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – Mr KA

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr KA, in the light of the offences committed as indicated in paragraph 6 of the report submitted.

Mr KA 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, the private hire driver's licence issued to Mr KA be revoked with immediate effect on the grounds of Mr KA's second conviction for his plying for hire and having no insurance.

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

170

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MS

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 MS, in the light of the information contained in the report submitted.

Mr MS and his representative were in attendance at the meeting and responded to questions asked by the Committee.

Arising from the presentation of the report, concerns were raised by the Committee in relation to the length of time it had taken Mr MS to undertake a drugs test following a previous request from the Committee.

Mr MS 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, the review of the private hire and hackney carriage drivers' licences issued to Mr MS be deferred for consideration at a future meeting of the Committee pending a drugs test by the Council's Doctor within one month, and that in the interest of public safety, Mr MS's current suspension remains in force until his case is considered further in the light of the drugs test.

171

REVOCATION OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR ZH

A report of the Director of Corporate Resources was submitted on the revocation of the private hire and hackney carriage drivers' licences issued to Mr ZH, in the light of the offences committed as indicated in paragraph 5 of the report submitted.

Mr ZH was in attendance and responded to questions raised 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, for the reasons of his convictions, as set out in paragraph 5 of the report submitted, the private hire and hackney carriage drivers' licences issued to Mr ZH be revoked.

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

172

REVOCAION OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MM

A report of the Director of Corporate Resources was submitted on the revocation of the private hire and hackney carriage drivers' licences issued to Mr MM, in the light of the offences committed as indicated in paragraph 7 of the report submitted.

Mr MM and his representative were in attendance and responded to questions raised by the Committee.

RESOLVED

That, following careful consideration of the information contained in the report submitted, for the reasons of his disqualification from driving for a period of six months and the convictions committed, as set out in paragraphs 7 and 8 of the report, the private hire and hackney carriage drivers' licences issued to Mr MM be revoked.

173

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

A report of the Director of Corporate Resources was submitted on an application for the grant of private hire and hackney carriage drivers' licences made by Mr AH, in light of the information contained in the report submitted.

Mr AH was in attendance at the meeting, together with Mr Schiller, Solicitor, who presented the case and responded to questions raised by the Committee on behalf of his client.

RESOLVED

That, following careful consideration of the information contained in the report submitted, approval be given for the grant of a private hire and hackney carriage drivers' licences to Mr AH for a period of three months.

174

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

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 ZH, in the light of information contained in the report submitted.

Mr ZH was in attendance at the meeting, together with Mr Schiller, Solicitor who presented the case and responded to questions raised by the Committee on behalf of his client in relation to the incident as outlined in paragraph 5 of the report submitted.

Mr ZH 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, no further action be taken but that a recommendation be made to the Directorate of Children's Services that Mr ZH's current suspension from working on Children's Services transport contracts be continued.

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

A report of the Director of Corporate Resources was submitted on an application for the grant of a private hire and hackney carriage drivers' licences made by Mr AA, in light of the information contained in the report submitted.

Mr AA and his representative were in attendance and responded to questions raised by the Committee.

Arising from the presentation of the report, it was noted that Mr AA wished to withdraw the application for the private hire driver's licence, and confirmed that he would be applying for a hackney carriage driver's licence only.

Mr AA 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, approval be given for the grant of a hackney carriage driver's licence to Mr AA for a period of three months.

176 REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR MTA

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr MTA, in the light of the offences committed as indicated in paragraphs 7 - 9 of the report submitted.

Mr MTA and a supporter were in attendance, together with Mr Schiller, Solicitor, who presented the case on behalf of his client.

Mr Schiller responded to questions raised by the Committee, and 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, the private hire driver's licence issued to Mr MTA be suspended for a period of three months with immediate effect in view of the offences for which he had been convicted, as set out in the report.

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

177

CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That agenda item 23 be considered as the next item of business.

178

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR SA

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 SA, in the light of the offences committed as indicated in paragraph 4 of the report submitted.

Mr SA was in attendance and responded to questions raised 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 SA receive a strong written warning as to his future conduct.

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS'
LICENCES – MR AK

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 AK, in the light of the offences committed as indicated in paragraph 15 of the report submitted.

Mr AK 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 and hackney carriage drivers' licences issued to Mr AK be suspended for a period of two months with immediate effect in view of the offences for which he had been convicted.

The meeting ended at 9.15 pm.

CHAIRMAN