

TAXIS COMMITTEE

Wednesday 23rd April, 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, Body, Hill, Tomkinson and A Turner

Officers

Assistant Director (Legal and Democratic Services) and Mrs K Farrington
(Directorate of Law and Property).

155 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors Mrs Collins and Mrs Faulkner.

156 **DECLARATIONS OF INTEREST**

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

157 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 20th
March, 2008, be approved as a correct record and signed.

158 **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>
Revocation of Private Hire Driver's Licence – Mr MN	1
Renewal of Private Hire Driver's Licence – Mr MN	1
Grant of Private Hire Driver's Licence – Mr KR	1
Grant of Private Hire Driver's Licence – Mr RR	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr SI	1
Review of Hackney Carriage Driver's Licence – Mr WA	1
Renewal of Private Hire Driver's Licence – Mr MW	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr MY	1

159 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 8, 7, 9, 11, 10, 12, 13 and 14.

160 RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR MN

A report of the Director of Law and Property was submitted on an application for the renewal of the private hire driver's licence issued to Mr MN, in the light of the offences for which he had been convicted, as referred to in paragraphs 11 and 15 of the report and his breach of Condition 10 of his private hire driver's licence, as indicated in paragraph 12 of the report submitted.

Mr MN, together with his representative, was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences committed. He also indicated 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 MN's application for renewal of his private hire driver's licence be refused, in view of his convictions of using a mobile phone whilst driving a motor vehicle; his failure to report the offence to the Council and in particular, his Section 47 Assault Battery conviction.

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

161

REVOCATION OF PRIVATE HIRE DRIVER'S LICENCE – MR MN

A report of the Director of Law and Property was submitted on the revocation of the private hire driver's licence issued to Mr MN in the light the caution he received on 11th February, 2008, for perverting the course of justice and the offences for which he had been convicted at Dudley Magistrates Court, as outlined in paragraph 25 of the report submitted.

Mr MN, together with a supporter, was in attendance at the meeting.

Following consideration of the content of the report submitted, the Committee questioned Mr MN in relation to his caution and, in particular his convictions recorded in paragraph 25 of the report submitted.

Arising from responses made by Mr MN to the matters raised, he confirmed that there were no matters pending that the Committee 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 MN be revoked.

That, in view of the serious nature of the caution and offences committed, that of perverting the course of justice, driving whilst disqualified on two separate occasions and driving with no insurance, offences compromising public safety, the private hire driver's licence issued to Mr MN be revoked with immediate effect in accordance with Section 61, 2(B) of the Local Government (Miscellaneous Provisions) Act, 1976.

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

162

GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR KR

A report of the Director of Law and Property was submitted on an application for the grant of a private hire driver's licence made on behalf of Mr KR, in the light of his failure to pass the driving knowledge test on three separate occasions, as referred to in paragraph 4 of the report submitted.

Mr KR, together with his supporter, was in attendance at the meeting, and responded to questions asked by the Committee. He also 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 the representations made at the meeting, the grant of private hire driver's licence be refused, in view of Mr KR's failure to pass the driving knowledge test, due to his insufficient knowledge of the English language.

That Mr KR be advised that he can make application again when his English has improved sufficiently to pass the driving knowledge test.

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RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCE – MR SI

A report of the Director of Law and Property was submitted on an application for the renewal of the private hire and hackney carriage drivers' licences issued to Mr SI, in the light of his failure to attend and complete on three separate occasions, the Council's Disability Awareness Course, as indicated in the report submitted.

Mr SI was in attendance at the meeting, and responded to questions asked by the Committee regarding his failure to complete the Council's Disability Awareness Course. He also informed them that there were no matters pending that needed to be brought to their attention.

RESOLVED

That, following careful consideration of the information contained in the report submitted and the representations made at the meeting, Mr SI's private hire and hackney carriage drivers' licenses be renewed with effect from 15th March, 2008 and suspended immediately until successful completion of the Disability Awareness Course.

That in view of the implications for public safety, Mr SI's right to drive be withdrawn with immediate effect in accordance with Section 61 2(B) of the Local Government (Miscellaneous Provisions) Act 1976.

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

164

GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR RR

A report of the Director of Law and Property was submitted on an application for the grant of a private hire driver's licence made on behalf of Mr RR, in the light of his failure to pass the driving knowledge test on three separate occasions, as referred to in paragraph 4 of the report submitted.

Mr RR, together with his supporter, was in attendance at the meeting, and responded to questions asked by the Committee. He also 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 the representations made at the meeting, the grant of a private hire driver's licence be refused, in view of Mr RR's failure to pass the driving knowledge test, due to his insufficient knowledge of the English language.

That Mr RR be advised that he can make application again when his English has improved sufficiently to pass the driving knowledge test.

165

REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR WA

A report of the Director of Law and Property was submitted on a review of the hackney carriage driver's licence issued to Mr WA, in the light of the conviction referred to and breach of condition 2 of his hackney carriage driver's licence, as outlined in paragraph 12 of the report submitted.

Mr WA, together with his supporter, was in attendance at the meeting, and responded to questions asked by the Committee and in doing so, 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, Mr WA receive a strong warning as to his future conduct and that any future applications for renewal be determined by the Committee.

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RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR MW

A report of the Director of Law and Property was submitted on an application for the renewal of the private hire driver's licence issued to Mr MW, in the light of his failure to attend and complete on three separate occasions, the Council's Disability Awareness Course, as indicated in the report submitted.

Mr MW was not in attendance at the meeting but his wife had informed the Licensing Section that he was out of the county and requested that they hear the application in Mr MW's absence. In view of this, it was

RESOLVED

That, following careful consideration of the information contained in the report submitted, Mr MW's private hire driver's license be renewed with effect from 9th March, 2008 and suspended immediately until successful completion of the Disability Awareness Course.

That in view of the implications for public safety, Mr SI's right to drive be withdrawn with immediate effect in accordance with Section 61 2(B) of the Local Government (Miscellaneous Provisions) Act 1976.

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

167

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

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 MY, in the light of the offence referred to in paragraph 19 of the report submitted.

Mr MY, together with his supporter, was in attendance at the meeting, and responded to questions asked by the Committee and in doing so, 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, Mr MY's private hire and hackney carriage drivers' licences be suspended immediately for a period of two weeks.

That, in view of the nature of the offence committed, that of Common Assault (Battery), an offence compromising public safety, the private hire driver's licence issued to Mr MY be withdrawn with immediate effect in accordance with Section 61 2(B) of the Local Government (Miscellaneous Provisions) Act 1976.

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

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COMMENTS FROM THE CHAIRMAN

In view of Councillor Tomkinson's imminent retirement as a member of the Council, the Chairman thanked her for all her hard work and commitment to the Taxis Committee and wished her a safe, happy and healthy retirement.

The Legal Advisor, on behalf of himself and Janet Elliott, also thanked Councillor Tomkinson for all her support to the Licensing Section.

The meeting ended at 7.55pm.

CHAIRMAN