

TAXIS COMMITTEE

Wednesday 9th September, 2009 at 3.30pm
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, Body (part of the meeting only), Mrs Greenaway (part of the meeting only), James, J. Martin, and Roberts.

Officers

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

33 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Attwood, Body and Ms While-Cooper for part of the meeting only.

34 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that Councillor J Martin had been appointed as a substitute member for Councillor Body for part of the meeting only and for Ms While-Cooper for the latter part of the meeting of the Committee only.

35 DECLARATIONS OF INTEREST

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

36 MINUTES

Arising from consideration of this item it was suggested that any future special meetings commence at a more suitable time.

RESOLVED

That the minutes of the Meeting of the Committee held on 16th July, 2009, be approved as a correct record and signed.

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 – Mr MS	1
Revocation of Private Hire Driver's Licence – Mr AA	1
Review of Private Hire Driver's Licence – Mr AA	1
Renewal of Private Hire Driver's Licence – Mr NK	1
Grant of Private Hire Driver's Licence – Mr MHK	1
Grant of Private Hire Driver's Licence – Mr AFM	1
Review of Hackney Carriage Driver's Licence – Mr WH	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr TSC	1
Review of Private Hire Driver's Licence – Mr AUR	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr NI	1
Revocation of Hackney Carriage Driver's Licence – Mr MS	1

Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr FA	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr RH	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr AG	1
Review of Private Hire Driver's Licence – Mr TA	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr NH	1
Review of Private Hire Driver's Licence – Mr MI	1

38 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, 10, 11, 14, 15, 17, 12, 5, 21, 18, 19, 22, 23, 24, 9, 13, 16 and 20

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

A report of the Interim Director of Law, Property and Human Resources was submitted on the review of the private hire and hackney carriage drivers' licences issued to Mr MS, in light of the information contained in the report submitted.

Mr MS, and his representative, was in attendance at the meeting, and responded to questions asked by the Committee in relation to the offences committed.

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 MS be revoked with immediate effect given his convictions for the offences of plying for hire and having no insurance.

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

40 REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR AA

A report of the Interim Director of Law, Property and Human Resources was submitted on the review of the private hire driver's licence issued to Mr AA, in light of the offence committed as indicated in paragraph 3 and his breach of condition 10 of his private hire drivers' licences as outlined in paragraph 4 of the report submitted.

Mr AA was in attendance at the meeting, and responded to questions asked by the Committee. Mr AA 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 AA's private hire driver's licence be suspended for a period of one month with immediate effect.

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

41 RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR NK

A report of the Interim Director of Law, Property and Human Resources was submitted on the renewal of the private hire driver's licence issued to Mr NK, in light of the information contained in the report submitted.

Mr NK was in attendance at the meeting, and responded to questions asked by the Committee. Mr NK 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, approval be given to the renewal of the private hire driver's licence to Mr NK for a period of twelve months.

42 REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR WH

A report of the Interim Director of Law, Property and Human Resources was submitted on an application for the review of the hackney carriage driver's licence issued to Mr WH, in light of the information contained in the report submitted.

Mr WH was in attendance at the meeting, together with Mr Schiller, Solicitor, 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, Mr WH's hackney carriage driver's licence be suspended for a period of one month in view of the offences for which he had been convicted.

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

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

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

Mr TSC and his representative, were in attendance at the meeting, and responded to questions asked by the Committee. Mr TSC 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, approval be given to the grant of private hire and hackney carriage drivers' licences to Mr TSC for a period of three months.

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

A report of the Interim Director of Law, Property and Human Resources was submitted on an application for the review of private hire and hackney carriage drivers' licences issued to Mr NI, in light of the information contained in the report submitted.

Mr NI was in attendance at the meeting, together with Mr Schiller, Solicitor, 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, Mr NI's private hire and hackney carriage drivers' licences be suspended for a period of one month in view of the offences for which he had been convicted.

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

45 GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR MHK

A report of the Interim Director of Law, Property and Human Resources was submitted on an application for the grant of a private hire driver's licence made on behalf of Mr MHK, in light of the information contained in the report submitted.

Mr MHK was in attendance at the meeting, and responded to questions asked by the Committee in relation to the offences convicted. Mr MHK 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 grant of a private hire driver's licence to Mr MHK be refused on the grounds of Mr MHK's convictions and that he may not be a fit and proper person to hold such a licence.

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

46 ADJOURNMENT OF MEETING

The meeting adjourned at 5.15 p.m. and resumed at 6.10 p.m.

Councillors Attwood, Body and Mrs Greenaway were in attendance for the latter part of the meeting.

47 IMMEDIATE SUSPENSION OF PRIVATE HIRE DRIVERS WHO ARE CONVICTED OF THE OFFENCE OF PLYING FOR HIRE

A report of the Interim Director of Law, Property and Human Resources was submitted on whether Officers should immediately suspend private hire driver's licences, immediately following conviction of plying for hire on two occasions.

Mr Schiller, Dennings Solicitors, was also in attendance and raised the need for driver's representatives to be present at hearings.

It was noted that the Taxis Focus Group had agreed the report in principle at a meeting held on 1st September 2009.

RESOLVED

That approval be given to the authorisation of officers to issue an immediate suspension of licence to any driver following a second conviction for the offence of plying for hire.

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

A report of the Interim Director of Law, Property and Human Resources was submitted on the review of the private hire and hackney carriage drivers' licences issued to Mr AG, in light of the information contained in the report submitted.

Mr AG, together with a representative and supporter, was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences committed. Mr AG 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 AG receive a strong written warning as to his future conduct.

49 REVOCAION OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR MS

A report of the Interim Director of Law, Property and Human Resources was submitted on the revocation of the hackney carriage driver's licence 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 comments made, Mr MS and his representative left the meeting.

RESOLVED

That ,arising from consideration of this matter, the hackney carriage driver's licence issued to Mr MS be revoked with immediate effect due to the medical condition referred to in paragraph 4 of the report submitted..

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

A report of the Interim Director of Law, Property and Human Resources was submitted for the grant of private hire and hackney carriage drivers' licences made by Mr FA, in the light of the information contained in the report submitted.

Mr FA was in attendance at the meeting, together with Mr Schiller, Solicitor, 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 grant of private hire and hackney carriage drivers' licences to Mr FA for a period of three months.

51 REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR TA

A report of the Interim Director of Law, Property and Human Resources was submitted on a review of the private hire driver's licence issued to Mr TA, in light of the information contained in the report submitted.

Mr TA 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 careful consideration of the information contained in the report submitted, and as reported at the meeting, Mr TA's private hire driver's licence be suspended for a period of one month with immediate effect in view of the offence convicted.

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

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

A report of the Interim Director of Law, Property and Human Resources was submitted on an application for the grant of a private hire and hackney carriage drivers' licences made on behalf of Mr NH, in the light of the information contained in the report submitted.

Mr NH and his representative were in attendance at the meeting and responded to questions asked by the Committee. Mr NH also 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, approval be given to the grant of private hire and hackney carriage drivers' licences to Mr NH for a period of three months.
- (2) That, Mr NH provide a satisfactory medical report on a twelve monthly basis.

53

REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR MI

A report of the Interim Director of Law, Property and Human Resources was submitted on the review of a private hire driver's licence issued to Mr MI, in the light of the information contained in the report submitted.

Mr MI and his representative were in attendance at the meeting and responded to questions asked by the Committee and highlighted that following a recent appearance at Dudley Magistrates Court, Mr MI had been disqualified from driving for a period of six months.

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

RESOLVED

That, given the disqualification from driving for a period of six months, the private hire driver's licence issued to Mr MI be revoked with immediate effect.

54

REVOCAION OF PRIVATE HIRE DRIVER'S LICENCE – MR AA

A report of the Interim Director of Law, Property and Human Resources was submitted on the revocation of a private hire driver's licence to Mr AA, in the light of the information contained in the report submitted.

Mr AA was not in attendance at the meeting 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, given the disqualification from driving for a period of twelve months and the convictions committed, the private hire driver's licence issued to Mr AA be revoked with immediate effect.

55 GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR AFM

A report of the Interim Director of Law, Property and Human Resources was submitted on an application for the grant of a private hire driver's licence made by Mr AFM, in the light of the information contained in the report submitted.

Mr AFM was not in attendance and no explanation as to his non-attendance had been received. Having decided to hear the matter in his absence, it was

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 a private hire driver's licence to Mr AFM be refused.

56 REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR AUR

A report of the Interim Director of Law, Property and Human Resources was submitted on the review of the private hire driver's licence issued to Mr AUR, in the light of the information contained in the report submitted.

Mr AUR was not in attendance and no explanation as to his non-attendance had been received. Having decided to hear the matter in his absence, it was

RESOLVED

That, in view of the non-attendance of Mr AUR, further consideration of the review of the private hire driver's licence issued to Mr AUR be deferred for consideration at a future meeting of the Committee.

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

A report of the Interim Director of Law, Property and Human Resources was submitted on the renewal of the private hire and hackney carriage drivers' licences issued to Mr RH, in light of the information contained in the report submitted.

Mr RH was not in attendance and no explanation as to his non-attendance had been received. Having decided to hear the matter in his absence, it was

RESOLVED

That, in view of the non-attendance of Mr RH, further consideration of the renewal of the private hire and hackney carriage drivers' licences issued to Mr RH be deferred for consideration at a future meeting of the Committee, and that the right to drive of Mr RH be suspended until such time as this case has been considered.

The meeting ended at 7:50 p.m.

CHAIRMAN