

TAXIS COMMITTEE

Thursday 19th March, 2009, at 6.00 p.m.
in Committee Room 4, at the Council House, Dudley

PRESENT:-

Councillor Mrs Ameson (in the Chair)
Councillors Attwood, Mrs E. Blood, Mrs Greenaway, James, Roberts and Taylor.

Officers

Interim Director of Law and Property (first item only), Mr T Holder, Senior Solicitor, Licensing Officer, Ms K Farrington and Ms E Ricketts (observer) (Directorate of Law and Property)

Also in Attendance

In respect of Agenda Item 5 – Proposed Condition of Licence and Approval of the Learning Skills Approved List of Course Providers –

Mr T Guy – Business Development Manager, Dudley College, Mr R Silvers, representative of the Learning Skills Council and Mr B Shipley Enforcement Officer (Directorate of Law and Property). Representatives from Castle Cars and Five Star Taxi were also present.

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APOLOGIES FOR ABSENCE

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

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APPOINTMENT OF SUBSTITUTE MEMBER

It was noted that Councillor Taylor had been appointed as a substitute member for Councillor Mrs Faulkner 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

That the minutes of the meeting of the committee held on 11th February, 2009, be approved as a correct record and signed.

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PROPOSED CONDITION OF LICENCE AND APPROVAL OF THE LEARNING SKILLS APPROVED LIST OF COURSE PROVIDERS

A report of the Interim Director of Law and Property was submitted on making it a condition of all private hire and hackney carriage drivers' licences, that they successfully complete a NVQ (level 2) Course, in Road Passenger Vehicle Driving with a course provider from the Learning Skills approved list of course providers, within one year of the grant of a hackney carriage/private hire drivers licence(s).

Arising from the presentation of the report, the Chairman invited Mr Guy and Mr Shipley to update the Committee on aspects of the NVQ (level 2) and the RVQ (level 2) qualification and to specify exactly what the course entailed. Mr Silvers was then given the opportunity to give an explanation as to background of the project, why there was a need to offer the qualification to the taxi driving industry and referred, in particular, to the Learning Skills Approved List of Course Providers.

Specific questions were then asked and responded to in relation to the NVQ (level 2) and the RVQ (level 2) qualification and in particular, the Learning Skills Approved List of Course Providers.

Arising from consideration of the comments made, it was

RESOLVED

- (1) That approval be given to the Learning Skills Council approved list of course providers of the Road Passenger Vehicle Driving Course NVQ (level 2) as outlined in Appendix 2 to the report submitted to the meeting.

(2) That the following conditions be added to a private hire driver's licence as conditions 14 and 15:-

- 14 The holder of this licence shall complete a Road Passenger Vehicle Driving Course NVQ (level 2) and a VRQ (level 2) with a course provider from the Learning Skills Council approval course provider list within twelve months of the grant of licence.
- 15 The holder of this licence shall submit the original course pass certificate to the Licensing Office within three months of successful completion of the Passenger Vehicle Driving Course NVQ (level 2) and the VRQ (level 2).

That the following conditions be added to a hackney carriage driver's licence as conditions 9 and 10:-

- 9 Any person driving this vehicle under the provisions of this licence shall complete a Road Passenger Vehicle Driving Course NVQ (level 2) and a VRQ (level 2) with a course provider from the Learning Skills Council approval course provider list within twelve months of the grant of licence.
- 10 Any person driving this vehicle under the provisions of this licence shall submit the original course pass certificate to the Licensing Office within three months of successful completion of the Passenger Vehicle Driving Course NVQ (level 2) and the VRQ (level 2).

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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.

Description of Item

Relevant
Paragraph of
Part I of
Schedule 12A

Review of Private Hire and Hackney
Carriage Drivers' Licences – Mr FH

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Revocation of Private Hire Driver's Licence – Mr MA	1
Review of Private Hire Driver's Licence – Mr YM	1
Review of Private Hire Driver's Licence – Mr MB	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr MI	1
Revocation of Private Hire and Hackney Carriage Drivers' Licences – Mr MY	1
Renewal of Private Hire Driver's Licence – Mr NK	1

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

A report of the Interim Director of Law and Property was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr FH in the light of the complaint received as set out in report submitted.

Mr FH, and his representative, was in attendance at the meeting, and responded to numerous questions asked by the Committee in relation to the circumstances of the complaint received. He also informed them that there were no matters pending that they needed to be made aware of.

Also in attendance was Mr W, complainant, together with Mrs W, supporter, who responded to numerous questions asked by the Committee in relation to the circumstances of the complaint submitted.

After a lengthy and detailed discussion it was

RESOLVED

That, arising from the consideration given to this matter and the responses given at the meeting, no action be taken in relation to Mr FH's private hire and hackney carriage drivers' licences.

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REVOCATION OF PRIVATE HIRE DRIVER'S LICENCE – MR MA

A report of the Interim Director of Law and Property was submitted on the revocation of the private hire driver's licence issued to Mr MA in the light of the information indicated in the report submitted.

Mr MA was not in attendance at the meeting. It was noted that Mr MA's Solicitor had contacted the Licensing Officer to request that the Committee consider deferring the application on the grounds that Mr MA was currently appealing against the decision to revoke his private hire driver's licence due to him being unfit to hold a licence by reason of the effects of his medical condition.

In view of this, it was

RESOLVED

That consideration of the revocation of the private hire driver's licence issued to Mr MA, be deferred to a future meeting of the Committee pending the result of his appeal.

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REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR YM

A report of the Interim Director of Law and Property was submitted on a review of the private hire driver's licence issued to Mr YM, in the light of his breach of condition 10 of his private hire driver's licence, as outlined in paragraph 4 of the report submitted.

Mr YM, and his representative, was in attendance at the meeting and responded to questions asked by the Committee in relation to his breach of condition of licence. Mr YM 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 as reported at the meeting, Mr YM receive a strong written warning as to his future conduct.

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REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR MB

A report of the Interim Director of Law and Property was submitted on a review of the private hire driver's licence issued to Mr MB, in the light of the offences committed, as indicated in paragraph 3 of the report submitted.

Mr MB was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences committed. Mr MB 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 as reported at the meeting, the private hire driver's licence issued to Mr MB be suspended for a period of two months.

That, in view of the nature of the offences committed, those of plying for hire and having no insurance, offences compromising public safety, the private hire driver's licence issued to Mr MB be withdrawn with immediate effect in accordance with Section 61 2(B) of the Local Government (Miscellaneous Provisions) Act, 1976.

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

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

A report of the Interim Director of Law and Property was submitted on a review of the private hire and hackney carriage drivers' licences issued to Mr MI, in the light of the offences committed as outlined in paragraph 3 of the report submitted.

Mr MI, together with his Solicitor, was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences committed. Mr MI also informed the Committee that there were no matters pending that they need 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 and hackney carriage drivers' licences issue to Mr MI be suspended for a period of two months.

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

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

A report of the Interim Director of Law and Property was submitted on the revocation of the private hire and hackney carriage drivers' licences issued to Mr MY, in the light of the information indicated in the report submitted.

Mr MY, and his representative, was in attendance at the meeting and was advised that as he had been disqualified from driving for a period of six months due to his most recent offence giving him a total of seventeen penalty points endorsed on his licence, he could not hold private hire and hackney carriage drivers' licences in the Borough until he had completed his disqualification and had been driving for a period of six months.

RESOLVED

That, given the disqualification from driving for a period of six months, the private hire and hackney carriage drivers' licences issued to Mr MY be revoked.

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RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR NK

A report of the Interim Director of Law and Property was submitted on the renewal of the private hire driver's licence issued to Mr NK, in the light of the information contained in paragraphs 3 and 4 of the report submitted.

Mr NK, and his representative, was in attendance at the meeting and responded to questions asked by the Committee in relation to the offence committed. Mr NK 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 as reported at the meeting, the renewal the private hire driver's licence issued to Mr NK be deferred for consideration at a future meeting of the Committee and that the report to be submitted include a medical report from the Council's Doctor.

The meeting ended at 8.40pm

CHAIRMAN