

TAXIS COMMITTEE

Wednesday, 21st March 2007, at 6.00 p.m.
in Committee Room 4 at the Council House, Dudley

PRESENT:-

Councillor Turner (Vice Chairman) (in the Chair)
Councillors Mrs Collins, Cotterill (for part of the meeting), Mrs Faulkner, Hill, Male (for part of the meeting), Ryder, Taylor and Tomkinson.

Officers

Assistant Director (Legal and Democratic Services), Mr T Holder (Solicitor) Directorate of Law and Property, Mrs J Holland (Directorate of Law and Property).

143 APOLOGY FOR ABSENCE

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

144 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 14th February, 2007, be approved as a correct record and signed.

145 DECLARATIONS OF INTEREST

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

146 APPOINTMENT OF SUBSTITUTE MEMBER

It was noted that Councillor Ryder had been appointed as a substitute member for Councillor Mrs Ameson for this meeting of the Committee only.

147 CHANGES TO TAXI AND PRIVATE HIRE LEGISLATION

A report of the Director of Law and Property was submitted on changes in the legislation governing the licensing of Hackney Carriage and Private Hire vehicles.

Arising from the presentation given on the content of the report submitted, concerns were expressed regarding the omission from the guidelines of any guidance relating to the safeguarding of the public. The Assistant Director Legal and Democratic Services stated that he would investigate the issues raised by the Committee and submit a report to a future meeting.

RESOLVED

1. That the information contained in the report submitted on changes in the legislation governing the licensing of Hackney Carriage and Private Hire, be noted
2. That, the Assistant Director Legal and Democratic Services be requested to investigate the issue of the omission from the guidelines of guidance on public safety and report back to a future meeting of the Committee.

148

REVISION OF LICENCE FEES

A joint report of the Director of Law and Property and Director of Finance was submitted on the proposed revision of fees for private hire and hackney carriage licences administered by the Committee,

Mr W Faulkner DSO Manager, Transport, Directorate of the Urban Environment and Mr P Lloyd, Senior Policy and Communications Officer, Environmental Management, Directorate of the Urban Environment were in attendance, together with two members of the Taxis Focus Group, and answered questions asked by the Committee, on the information contained in the report submitted.

RESOLVED

That, following careful consideration of the information contained in the report and appendices to the report submitted, and representations made at the meeting, fees for private hire and hackney carriage licences administered by the Council be increased as indicated in option 3 of the report submitted involving an increase in the present fee level by inflation plus 2% (4%).

149

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 1 of Schedule 12A</u>
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr SS	1
Renewal and Review of Private Hire Driver's and Private Hire Operator's Licence – Mr ST	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr AS	1
Renewal of Hackney Carriage and Private Hire Drivers' Licences – Mr AR	1
Grant of Private Hire Driver's Licence – Mr LA	1
Grant of Private Hire Driver's Licence – Mr RB	1
Grant of Private Hire Driver's Licence Mr ZMo	1
Renewal of Private Hire Driver's Licence – Mr ZMa	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr NM	

150

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

A report of the Director of Law and Property was submitted on the renewal of the hackney carriage and private hire drivers' licences issued to Mr SS.

Mr SS was in attendance at the meeting, together with his representative, and responded to questions asked by the Committee regarding the matters outlined in paragraphs 11 to 22 of the report submitted.

RESOLVED

1. That, following consideration of the information contained in the report and Appendices to the report submitted, and as reported at the meeting, further consideration of this matter be deferred to enable Mr SS to receive a further medical examination and that the Licensing Officer be requested to arrange for a suitable appointment for Mr SS to be examined by Dudley Council's medical examiner.
2. That, should the medical report prove to be indicative, then no further deferment on medical grounds would be considered by the Committee.

151

RENEWAL AND REVIEW OF PRIVATE HIRE DRIVER'S LICENCE AND PRIVATE HIRE OPERATOR'S LICENCE - MR ST

A report of the Director of Law and Property was submitted on the renewal and review of the private hire driver's licence and private hire operator's licence issued to Mr ST in relation to offences committed.

Mr ST was in attendance at the meeting, together with his representative, and responded to questions asked by the Committee in relation to the offences referred to in the report submitted.

Mr ST also confirmed that there was a case outstanding against him not yet heard by the Magistrates Court.

RESOLVED

1. That, following careful consideration of the information contained in the report submitted, and representations made at the meeting, Mr ST receive a strong written warning as to his future conduct.
2. That, the Licensing Officer be requested to keep the case pending in the Magistrates Court under review and Mr ST to appear before the Committee should the Magistrates find him guilty of the offences pending.

152

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

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 AS in the light of the offence for which he had been convicted, as indicated in paragraph 5 of the report submitted.

Mr AS was in attendance at the meeting, together with his representative, 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, Mr AS receive a strong written warning as to his future conduct in view of the offence for which he had been convicted, as indicated in paragraph 5 of the report submitted.

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

A report of the Director of Law and Property was submitted on the renewal of the private hire and hackney carriage drivers' licences issued to Mr AR in the light of the offences for which he had been convicted as indicated in the report submitted.

Mr AR was in attendance at the meeting and responded to questions asked by the Committee. He confirmed that there were no matters pending on which they needed to be made aware.

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' licenses issued to Mr AR with effect from 25th January 2007 and that future renewals be dealt with by the Assistant Director Legal and Democratic Services, provided that Mr AR had no offences pending at the time of renewal.

154 GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR LA

A report of the Director of Law and Property was submitted on an application made on behalf of Mr LA for the grant of a private hire driver's licence.

Mr LA was in attendance at the meeting and responded to questions asked by the Committee, in particular relating to the failure of Mr LA to pass the driving/knowledge test.

RESOLVED

1. That further consideration of the grant of a private hire driver's licence to Mr LA be deferred to allow him a final opportunity to take the driving/knowledge test, the fee for which would be at Mr LA's cost.

2. That, in the event of Mr LA failing the driving/knowledge test, the Assistant Director Legal and Democratic Services to be authorised to refuse the grant of a private hire driver's licence.
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155 GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR RB

A report of the Director of Law and Property was submitted on an application made on behalf of Mr RB for the grant of a private hire driver's licence.

Mr RB was in attendance at the meeting, together with his supporter, and responded to questions asked by the Committee regarding the offence referred to in paragraph 4 of the report submitted.

RESOLVED

That, following careful consideration of the information contained in the report submitted, approval be given to the grant of a private hire driver's licence to Mr RB for a period of three months from the date of this meeting, but that the Assistant Director (Legal and Democratic Services) to monitor the licence closely and immediately withdraw it should Mr RB receive any further convictions.

156 GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR ZMo

A report of the Director of Law and Property was submitted on an application made on behalf of Mr ZMo for the grant of private hire driver's licence.

Mr ZMo was in attendance at the meeting, together with his supporter, and responses were given to questions asked by the Committee. He confirmed that there were no matters pending on which they needed to be made aware.

RESOLVED

That, following careful consideration of the information contained in the report submitted, approval be given to the grant of a private hire driver's licence to Mr RB for a period of three months from the date of this meeting.

157 RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR ZMa

A report of the Director of Law and Property was submitted on the renewal of the private hire driver's licence issued to Mr ZMa, in the light of his breach of Condition 11 of his private hire driver's licence

Mr ZMa was not in attendance at the meeting and, following careful consideration of the information contained in the report, and the appendices to the report submitted, it was

RESOLVED

That consideration of this matter be deferred to the next meeting of the Committee and that Mr ZMa be informed that, in the meantime, his right to drive under the licence was withdrawn, and that the matter would proceed on that occasion whether or not he was in attendance.

158

GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCE – MR NM

A report of the Director of Law and Property was submitted on an application made on behalf of Mr NM for the grant of private hire and hackney carriage drivers' licence.

Mr NM was in attendance at the meeting, together with his supporter, and responded to questions asked by the Committee, in particular relating to the failure of Mr NM to pass the driving/knowledge test.

RESOLVED

1. That further consideration of the grant of private hire and hackney carriage drivers' licences to Mr LA be deferred to allow him a final opportunity to take the driving/knowledge test, the fee for which would be at Mr NM's cost.
2. That should Mr NM fail to pass the driving/knowledge test on his final attempt, he be informed he would have to submit a further full application for the grant of a private hire and hackney carriage drivers' licence.

The meeting ended at 9.00 p.m.

CHAIRMAN