

Minutes of the Meeting of the Taxis Committee

Thursday 13th, November 2014 at 5.30 p.m.

in Committee Room 3 at the Council House,

Dudley

Present:-

Councillor R Body (Chair)

Councillor A Ahmed (Vice-Chair)

Councillors P Bradley, C Billingham, J Cowell, C Elcock, J Martin, G Simms
and D Vickers

Officers:-

N Bangar, Solicitor, M Hanson, Licensing Enforcement Officer and K Taylor,
Democratic Services Officer (all Directorate of Corporate Resources)

Also in Attendance:-

Councillor C Perks (Observer)

54. **Apology for Absence**

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

55. **Appointment of Substitute Member**

It was reported that Councillor C Billingham had been appointed as substitute
Member for Councillor A Aston for this meeting of the Committee only.

56. **Declaration of Interest**

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

57. **Minutes**

Resolved

That the minutes of the meeting of the Committee held on 15th
October, 2014 be approved as a correct record and signed.

58.

Amendment to Conditions on Private Hire Vehicle Licences

A report of the Director of Corporate Resources was submitted to consider amending the wording of the current conditions of licence in respect of private hire vehicles.

Following introductions, the Licensing Enforcement Officer outlined the report submitted to the meeting and reported that the purpose of the report was for Members of the Committee to consider amending licensing condition 8.

It was reported that the current condition read as follows:

Condition 8

That in respect of private hire vehicles as from the 1st June 2014, Private Hire Vehicles will be allowed to be any colour provided that the vehicle displays:-

- Two door signs, of which one door sign will be displayed on the vehicle's front offside door
- and one to be displayed on the vehicle's front nearside passenger door.

The door sign will display the vehicle's licence plate number, the operator's base, telephone number, and include the wording "Licensed Private Hire Vehicle" and TELEPHONE BOOKINGS ONLY.

Following consideration of the matter, it was

Resolved

That approval be given to amend the wording to current conditions of licence in respect of private hire vehicles to read as follows:-

Condition 8

That in respect of private hire vehicles as from the 1st June 2014, Private Hire Vehicles will be allowed to be any colour provided that the vehicle displays:-

- Two door signs, of which one door sign will be displayed on the vehicle's front offside door
- and one to be displayed on the vehicle's front nearside passenger door.

The door sign will display the vehicle's licence plate number, the operator's base, telephone number, and include the wording "Private Hire Vehicle" and the words

NOT PRE-BOOKED – NOT INSURED. These door signs shall be approved and issued by the Council.

59. **Exclusion of the Public**

Resolved

That the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information relating to any individual(s) as defined under Part I of Schedule 12A to the Local Government Act 1972, as amended.

60. **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 a complaint received.

Mr MTA was in attendance at the meeting, together with his Solicitor, Mr Schiller.

It was noted that the complainants, Mrs S and Mrs W, were not in attendance at the meeting, however notification had been received that they were available to attend the next meeting of the Committee.

At this juncture, Mr Schiller requested that the Committee consider the matter in the absence of the complainants, as the Committee were in receipt of the statements provided by all parties, and that Mr MTA continued to be suspended during the investigation of the complaint.

In view of the non-attendance of the complainants, it was

Resolved

- (1) That consideration of the review of private hire driver's licence issued to Mr MTA be adjourned to the next meeting of the Committee, and that should the complainants fail to attend that meeting, the review be considered in their absence.
 - (2) That the private hire driver's licence issued to Mr MTA continue to be suspended on the grounds of public safety, until the matter be considered.
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61. **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 Nos 10, 11, 12, 13, 14, 15 and 9

62. **Review of Private Hire and Hackney Carriage Drivers' Licences – Mr SH**

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 SH in light of the information contained in the report submitted.

Mr SH was in attendance at the meeting, together with his Solicitor, Mr Schiller.

Mr Schiller made representations on behalf of Mr SH, and in doing so requested the Committee to allow Mr SH undertake a drug's test, in view of the caution received as outlined in paragraph 5 of the report submitted.

Mr SH responded to questions asked by the Committee and 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, the private hire and hackney carriage drivers' licences issued to Mr SH be revoked with immediate effect in the interest of public safety on the grounds that Mr SH was not a fit and proper person in the light of the information received regarding the caution received in October, 2014.

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

63. **Renewal of Private Hire Driver's Licence – Mr SF**

A report of the Director of Corporate Resources was submitted on the renewal of the private hire driver's licence issued to Mr SF, in the light of the conviction referred to in paragraph 4 of the report submitted which was not reported within the required 7 day period. Mr SF was therefore in breach of condition 10 of his private hire driver's licence.

Mr SF was in attendance at the meeting, and responded to questions asked by the Committee regarding the offence committed and his non-reporting of the conviction. Mr SF also reported that there were no matters pending that needed to be reported to the Committee.

Resolved

That, following consideration of the information contained in the report submitted, and as reported at the meeting, Mr SF receive a strong warning as to his future conduct.

64. **Grant of Private Hire Driver's Licence – Mr ZK**

A report of the Director of Corporate Resources was submitted on an application made on behalf of Mr ZK for the grant of a private hire driver's licence in the light of his failure to pass, on three separate occasions, his test for local knowledge and law pertaining to private hire.

Mr ZK was in attendance at the meeting, together with a supporter, and responded to questions asked by the Committee.

Resolved

That, following consideration of the information contained in the report submitted, and as reported at the meeting, Mr ZK be given a further opportunity to take his test for local knowledge and law pertaining to private hire upon payment of the appropriate fee.

65. **Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr KW**

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

Mr KW was in attendance at the meeting, together with his representative Mr Saleem.

It was noted that there had been an administrative error that resulted in the Licensing Office unaware that there were convictions endorsed on Mr KW's drivers licence, as outlined in paragraph 19 of the report submitted.

Mr Saleem made representations on behalf of Mr KW and responded to questions asked by the Committee. Mr KW informed the Committee that there were no matters pending that they needed to be made aware of.

Following concerns raised by Members, it was recommended that in circumstances when there were delays in processing applications, that Officers be requested to review the applicant's driver's licence should delays exceed six months, prior to proceeding with the application.

Resolved

That, following 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 KW, be renewed with effect from the 17th September, 2014 for a period of six months.

66. **Review of Private Hire Driver's Licence – Mr MA**

A report of the Director of Corporate Resources was submitted on a review of the private hire driver's licence issued to Mr MA, in the light of the offence outlined in paragraph 3 of the report submitted.

Mr MA was in attendance at the meeting, together with his representative, Mr Saleem.

Mr Saleem made representations on behalf of MA, commenting particularly on the circumstances surrounding Mr MA's offence committed in December, 2013. Mr MA informed the Committee that there were no matters pending that they needed to be made aware of.

Resolved

That, following consideration of the information contained in the report submitted, and as reported at the meeting, the private hire driver's licence issued to Mr MA, be suspended for a period of one month in light of the offence for which he had been convicted.

67. **Renewal of Private Hire Driver's Licence – Mr TH**

A report of the Director of Corporate Resources was submitted on the renewal of the private hire driver's licence issued to Mr TH, in the light of the offences outlined in paragraph 4 of the report submitted.

Mr TH was in attendance at the meeting, together with his representative, Mr Saleem.

Mr Saleem made representations on behalf of Mr TH, commenting particularly on the circumstances surrounding Mr TH's conviction for plying for hire and no insurance in February, 2014. Mr TH informed the Committee that there were no matters pending that they needed to be made aware of.

Resolved

That, following consideration of the information contained in the report submitted, and as reported at the meeting, the private hire driver's licence issued to Mr TH be suspended for a period of four months, in light of the offences for which he had been convicted.

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

68. **Grant of Private Hire Driver's Licence – Mr DK**

A report of the Director of Corporate Resources was submitted on an application for the grant of a private hire driver's licence in respect of Mr DK.

Mr DK was not in attendance at the meeting and a reason for his absence had not been received.

In view of this it was

Resolved

That consideration of the application for the grant of a private hire driver's licence in respect of Mr DK be deferred to a future meeting of the Committee.

The meeting ended at 7.25 pm.

CHAIR