

## TAXIS COMMITTEE

Monday 18<sup>th</sup> May, 2009 at 2.15 pm  
in Committee Room 4 at the Council House, Dudley

### PRESENT:-

Councillor Mrs Ameson (in the Chair)  
Councillors Attwood, Mrs E Blood, Body, Mrs Coulter, Roberts, Ryder,  
Taylor and K Turner.

### Officers

Interim Assistant Director (Legal and Democratic Services), Licensing  
Officer, Mr Richard Sanders and Miss K Fellows (Directorate of Law,  
Property and Human Resources)

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### APOLOGIES FOR ABSENCE

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

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### APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that Councillors Ryder, Mrs Coulter, Taylor and K Turner had  
been appointed as substitute members for Councillors Mrs Faulkner, Ms  
While-Cooper, Mrs Greenaway and James respectively, for this meeting  
of the Committee only.

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### DECLARATIONS OF INTEREST

Councillor Mrs Coulter declared a personal interest in relation to Agenda  
Item no. 20 – Grant of Private Hire Driver’s Licence – Mr MR, due to  
personally knowing the applicant.

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### MINUTES

#### RESOLVED

That the minutes of the Special Meeting of the Committee held  
on 29th April, 2009, be approved as a correct record and  
signed.

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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.

<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 SB	1
Grant of Private Hire Driver's Licence – MR MHA	1
Review of Private Hire Operator's Licence – Mr NK	1
Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr RH	1
Review of Private Hire Driver's Licence – Mr AR	1
Grant of Private Hire Driver's Licence – Mr IA	1
Grant of Hackney Carriage and Private Hire Drivers' Licences – Mr AM	1
Grant of Private Hire Driver's Licence – Mr MS	1
Renewal of Private Hire Driver's Licence – Mr SA	1
Review of Private Hire Driver's Licence – Mr AA	1
Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr MAA	1
Review of Hackney Carriage Driver's Licence – Mr KL	1
Grant of Private Hire Driver's Licence – Mr KSB	1
Grant of Private Hire Driver's Licence – Mr MR	1

Grant of Private Hire Driver's Licence – Mr TM	1
Review of Private Hire and Hackney Carriage Drivers' Licences and a Private Hire Operator's Licence – Mr SNS	1
Review of Private Hire and Hackney Carriage Drivers' Licences – Mr MJ	1

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

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 SB in light of the allegations contained in paragraph 6 of the report, and the information contained in Appendices 1,2 and 3 to the report, of which appendices 1 and 2 were circulated at the meeting.

Mr SB and his Solicitor, Mr A Schiller, were in attendance at the meeting, and responded to questions asked by the Committee with particular reference to the allegations contained in the report. Mr Schiller also advised that although his wife worked at the establishment referred to in the report, he did not believe that this equated to a conflict of interest and that Mr SB had suffered a heart attack in February, 2009. Mr SB 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, and Appendices to the report, submitted, and as reported at the meeting, the current suspension of the private hire and hackney carriage drivers' licences issued to Mr SB be lifted and that they be further suspended on medical grounds pending receipt of a satisfactory medical report.

At this juncture Councillor Ryder entered the meeting.

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GRANT OF PRIVATE HIRE DRIVER'S LICENCE - MR MHA

A report of the Interim 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 MHA, in the light of the offence for which he had been cautioned, as indicated in the report submitted.

Mr MHA was in attendance at the meeting, and responded to numerous questions asked by the Committee in relation to the offence for which he had been cautioned. 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 as reported at the meeting, subject to a clear medical report, approval be given to the grant of a private hire driver's licence to Mr MHA for a period of three months and that any future renewals be determined by the Committee.

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

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203

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

A report of the Interim Director of Law and Property was submitted on an application for the grant of private hire and hackney carriage drivers' licences made on behalf of Mr RH, in the light of the offences for which he had been convicted.

Mr RH and a family member were in attendance at the meeting and Mr RH responded to numerous questions asked by the Committee in relation to the offences for which had been convicted. 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 as reported at the meeting, subject to clear medical tests, approval be given to the grant of private hire and hackney carriage drivers' licences to Mr RH for a period of three months and that any future renewals be determined by the Committee.

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REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR AR

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 AR, in light of the breach of condition ten of his private hire driver's licence, and the information contained in the report submitted.

Mr AR and the owner of the taxi firm for which Mr AR worked were in attendance at the meeting, and Mr AR responded to numerous questions asked by the Committee, in relation to the circumstances surrounding the breach of condition 10 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, Mr AR's private hire driver's licence be suspended for a period of one month from 19<sup>th</sup> May, 2009.

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

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APPLICATION FOR GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR AM

A report of the Interim Director of Law and Property was submitted on an application for the grant of hackney carriage and private hire drivers' licences made on behalf of Mr AM, in light of the offences for which he had been convicted.

Mr AM was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences referred to in the report. He also confirmed that there were no matters pending that the Committee 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, subject to a satisfactory medical examination, approval be given to the grant of hackney carriage and private hire drivers' licences to Mr AM for a period of three months.

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GRANT FOR PRIVATE HIRE DRIVER'S LICENCE – MR MS

A report of the Interim Director of Law and Property was submitted on an application for the grant of a private hire driver's licence on behalf of Mr MS, in light of the offences for which he had been convicted.

Mr MS and a representative Mr Ahmed, were in attendance at the meeting and responded to questions asked by the Committee in relation to the offences referred to in the report.

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the application by Mr MS for the grant of a private hire driver's licence be refused on the grounds that he is not a fit and proper person to hold a private hire driver's licence since the Committee was satisfied that Mr MS had driven a motor vehicle at a time when his DVLA licence had been revoked, as referred to in paragraphs 22 to 30 (inclusive) of the report submitted.

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207

RENEWAL OF PRIVATE HIRE DRIVER'S LICENCE – MR SA

A report of the Interim Director of Law and Property was submitted on an application for the renewal of a private hire driver's licence issued to Mr SA, in the light of the offences for which he had been convicted.

Mr SA and a representative, Mr Amir Ali, were in attendance at the meeting and responded to questions asked by the Committee in relation to the offences for which Mr SA had been convicted. It was confirmed by Mr Amir Ali that there were no matters pending in relation to Mr SA that the Committee 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 issued to Mr SA for a period of twelve months with effect from 8<sup>th</sup> April, 2009 and that Mr SA receive a strong written warning as to his future conduct.

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208

APPLICATION FOR RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR MAA

A report of the Interim Director of Law and Property was submitted on an application for the renewal of private hire and hackney carriage drivers' licences made on behalf of Mr MAA, in light of the offences for which he had been convicted.

Mr MAA and a representative, Mr Hussain, were in attendance at the meeting and responded to questions asked by the Committee in relation to the offences for which Mr MAA had been convicted.

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 currently issued to Mr MAA be extended for a further three months following its expiry date.

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209                    REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR KL

A report of the Interim Director of Law and Property was submitted on a review of the hackney carriage driver's licence issued to Mr KL, in light of the offences for which he had been convicted.

Mr KL was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences for which he had been convicted.

RESOLVED

That the hackney carriage driver's licence issued to Mr KL be revoked with immediate effect on the grounds that he is not a fit and proper person to hold a licence in view of his failure to disclose that there were two matters pending that the Committee needed to be made aware of when Mr KL had last appeared before the Committee on 11<sup>th</sup> December, 2008.

210                    ADJOURNMENT OF MEETING

The meeting adjourned at 5.30 pm and resumed at 6.15 pm.

Councillors Attwood and Body joined the meeting at the latter juncture.

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211                    APPLICATION FOR GRANT OF A PRIVATE HIRE DRIVER'S LICENCE – MR KSB

A report of the Interim Director of Law and Property was submitted on an application for the grant of a private hire driver's licence on behalf of Mr KSB, in light of the offences and a caution referred to in the report.

Mr KSB was in attendance at the meeting and responded to questions asked by the Committee. Mr KSB also informed the Committee that there were no matters pending that the Committee 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 KSB for a period of three months be approved and that the Interim Director of Law and Property, in consultation with the Chairman of the Committee, be authorised to extend the grant of the licence to a period of six months, subject to no offences being committed within the initial three month period.

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212      APPLICATION FOR GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR MR

(At this juncture, a declaration of personal interest, in accordance with the Members Code of Conduct, was made by Councillor Mrs Coulter in view of her being known to the applicant).

A report of the Interim Director of Law and Property was submitted on an application by Mr MR for the grant of a private hire driver's licence, in the light of the offences for which he had been convicted, as referred to in the report.

Mr MR and his representative, Mr Shiller, were in attendance at the meeting and responded to questions asked by the Committee in relation to the offences. Mr MR 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, the grant of a private hire driver's licence for a period of three months be approved; and that the extension of the period of the licence for respective periods of a further three months and six months be referred back to the Committee for consideration.

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213      REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR TM

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 TM, in light of the offences for which he had been convicted.

Mr TM and his representative, Mr Robinson of McGough Indelsey and Company, were in attendance at the meeting and responded to questions asked by the Committee in relation to the offences for which he had been convicted. Particular reference was made to the reasons why Mr TM had not disclosed that he had been summons to appear before Court when he had appeared before the Committee previously on 22<sup>nd</sup> October, 2008. The circumstances of an allegation that Mr TM had plied for hire at a location in Dudley was also explored.

Mr TM advised 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, in the interest of public safety, the licence issued to Mr TM be suspended for three months with immediate effect on the grounds of Mr TM's previous convictions, as set out in the report; that the Committee is satisfied that he plied for hire in October, 2008 and because of his failure to disclose the summons to attend Court when he had appeared before the Committee previously on 22<sup>nd</sup> October, 2008.

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214

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES AND PRIVATE HIRE OPERATOR'S LICENCE – MR SNS

A report of the Interim Director of Law and Property was submitted on a review of the private hire and hackney carriage drivers' licences and the private hire operator's licence issued to Mr SNS, in the light of a caution Mr SNS had received from the Police on a related issue.

Mr SNS was in attendance at the meeting and responded to questions asked by the Committee in relation to the caution. He also informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That no action be taken with regard to the licences issued to Mr SNS but that Mr SNS be issued with a strong warning as to his future conduct.

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215

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

A report of the Interim Director of Law and Property was submitted on an review of the private hire and hackney carriage drivers' licences issued to Mr MJ, in the light of the offences for which he had been convicted.

Mr MJ was in attendance at the meeting and responded to questions asked by the Committee in relation to the offences for which he had been convicted. Mr MJ 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, the private hire and hackney carriage driver's licence issued to Mr MJ be suspended for a period of one month on the grounds of public safety in relation to the three offences referred to in paragraph 14 of the report now submitted.

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216                    GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR IA

A report of the Interim Director of Law and Property was submitted on a application for the grant of a private hire driver's licence in respect of Mr IA, in the light of the Mr IA's failure to pass his local knowledge test on three separate occasions.

Mr IA and his representative, Mr Nassir, were in attendance at the meeting and Mr Nassir responded to questions asked by the Committee in relation to Mr IA's situation.

RESOLVED

That consideration of Mr IA's application for the grant of a private hire driver's licence be deferred to enable Mr IA to take his local knowledge test again and that the fee for the next test be waived.

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217                    REVIEW OF PRIVATE HIRE OPERATOR'S LICENCE – MR NK

A report of the Interim Director of Law and Property was submitted on an application for the review of the private hire operator's licence issued to Mr NK, in the light of allegations by the Licensing Authority regarding breaches of the operator's licence.

As Mr NK was not in attendance at the meeting, the Committee agreed to consider the matter in his absence and it was

RESOLVED

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting by the Licensing Officer, the private hire operator's licence issued to Mr NK in respect of ABC cars be suspended with immediate effect and that the suspension remain in place until Mr NK appears before the Committee.

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

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 AA, in light of an offence for which he had been convicted.

Mr AA was not in attendance at the meeting and the Licensing Officer read out a letter stating that Mr AA had been unable to appear, owing to his being in hospital.

RESOLVED

That consideration of the review of the private hire driver's licence issued to Mr AA be deferred and that Mr AA be asked to produce medical evidence as to his hospitalisation.

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COUNCILLOR MS WHILE-COOPER

Reference was made to Councillor Miss While-Cooper's being unable to attend meetings of the Committee, owing to her current ill health. It was agreed that Councillor Miss While-Cooper be sent a letter on behalf of the Committee expressing their best wishes for her full and speedy recovery.

CHAIRMAN