

## **TAXI & PRIVATE HIRE LICENSING PANEL**

**25<sup>th</sup> March 2008 at 6.00 p.m.**

**PRESENT:** Councillor Saleem (Chair); Councillors Ayub, Garrett, Siederer and Riaz

### **18. APOLOGY FOR ABSENCE (REF: 1)**

An apology for absence from the meeting was received on behalf of Councillor Hinkley

### **19. MINUTES (REF: 2.1)**

**Resolved:** That the Minutes of the meeting of the Panel held on 26<sup>th</sup> February 2008 be taken as read, approved as a correct record and signed by the Chair.

### **20. LOCAL GOVERNMENT ACT 1972, PART VA (REF: 6)**

**Resolved:** That, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting as it is likely that if members of the public were present during consideration of the items remaining there would be disclosure to them of exempt information falling within Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended.

### **21. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE – RENEWAL – MR. A. N. (REF: 7)**

The Head of Environmental and Consumer Services reported on an application by Mr. A. N. for the renewal of his Hackney Carriage and Private Hire Driver's Licences, which had been referred to the Panel to consider whether the Applicant was a fit and proper person to hold a Private Hire Driver's licence.

Mr. A. N. had been invited to the meeting to answer questions of the Panel on this matter. Mr. A. N. and an Interpreter were present at the meeting and the Panel followed their procedure for oral hearings as set out at Minute 442(6)/90 of the then Licensing Sub-Committee.

**Resolved:** That having regard to:-

- (a) The Council's Convictions Policy,
- (b) The decision of the Taxi Licensing and Private Hire Panel on 11<sup>th</sup> September 2007,
- (c) Mr. A. N. having no further convictions since that time, and

- (d) the statement made by Mr. A. N. prior to the meeting and the oral representations made by him at the meeting.

The Application by Mr. A. N. for renewal of his Hackney Carriage and Private Hire Driver's Licenses be **GRANTED** for a period of 2 years subject to compliance with the Council's pre-licensing requirements.

**(Note: In accordance with Standing Order 20.3 Councillors Garrett and Siederer required that their vote against the above decision be recorded.**

## **22. PRIVATE HIRE DRIVER'S LICENCE – RENEWAL – MR. A. R. (REF: 8)**

The Head of Environmental and Consumer Services reported on an application by Mr. A. R. for the renewal of his Private Hire Driver's Licence, which had been referred to the Panel to consider whether the Applicant was a fit and proper person to hold a Private Hire Driver's licence.

Mr. A. R. had been invited to the meeting to answer questions of the Panel on this matter. Mr. A. R. and an Interpreter were present at the meeting and the Panel followed their procedure for oral hearings as set out at Minute 442(6)/90 of the then Licensing Sub-Committee.

**Resolved:** That having regard to:-

- a) the Council's Convictions Policy,
- (b) Mr A. R's convictions for the following convictions:
  - (i) on 12<sup>th</sup> January 2007 of exceeding the speed limit created by local order – detected by camera on 10<sup>th</sup> June 2006 for which he was fined £30 and his DVLA Driver's Licence endorsed with 3 penalty points,
  - (ii) On 12<sup>th</sup> January 2007 of Perverting the Course of Justice on 12<sup>th</sup> June 2007 to which he was sentenced to 14 days imprisonment.
- (c) the statement made by Mr. A. R. prior to the meeting and the oral representations made by him at the meeting.
- (d) Mr. A. R's failure to inform the Council in writing of these convictions within 7 days as required by Condition 11 of the Council's Standard Conditions for a Private Hire Driver's License,

the application be **REFUSED** under Section 51(1) of the Local Government (Miscellaneous Provisions) Act 1976 on the grounds that the Panel were not satisfied that Mr. A. R. was a fit and proper person to hold a Private Hire Driver's Licence.

**23. PRIVATE HIRE DRIVER'S LICENCE – REVIEW – MR. Z. F. (REF: 9)**

The Head of Environmental and Consumer Services invited the Panel to consider whether Mr. Z. F. should continue to hold a Private Hire Driver's Licence, following his conviction on the 12<sup>th</sup> July 2007.

Mr. Z. F. had been invited to attend the meeting to speak in support of his application. Mr. Z. F. was present at the meeting and the Panel followed their procedure for oral hearings as set out at Minute 442(6)/90 of the then Licensing Sub-Committee.

**Resolved:** That having regard to:

- (a) The Council's Conviction Policy
- (b) the fact Mr. Z. F. had only one conviction
- (c) Mr. Z.F's previous good character, and
- (d) the statement made by Mr. Z. F. prior to the meeting and the oral representations made by him at the meeting..

that suspension of Mr. Z. F's Private Hire Driver's license to **BE LIFTED WITH IMMEDIATE EFFECT.**

**24. PRIVATE HIRE DRIVER'S LICENCE – REVIEW – MR. A. H. (REF: 10)**

The Head of Environmental and Consumer Services invited the Panel to consider whether Mr. A. H. should continue to hold a Private Hire Driver's Licence.

Mr. A. H. had been invited to attend the meeting to speak in support of his application. Mr. A. H. was not present at the meeting.

**Resolved:** That consideration of this matter be **DEFERRED** to a future meeting of the Panel to allow the Applicant a further opportunity to attend the meeting to speak in support of his application.

**25. PRIVATE HIRE DRIVER'S LICENCE – REVIEW – MR. J. H. (REF: 11)**

The Head of Environmental and Consumer Services invited the Panel to consider whether Mr. J. H. should continue to hold a Private Hire Driver's Licence, following his conviction on 25<sup>th</sup> September 2007.

Mr. J. H. had been invited to the meeting to answer questions of the Panel on this matter. Mr. J. H. was present at the meeting and the Panel followed their procedure for oral hearings as set out at Minute 442(6)/90 of the then Licensing Sub-Committee.

**Resolved:** That having regard to:

- (a) The remorse that Mr. J. H. exhibited for his actions, and
- (b) That Mr. J. H. notified the Council of his conviction within the time limit.
- (c) that Mr. J. H's Private Hire Driver's Licence **REMAIN IN FORCE**, and
- (d) that Mr. J. H. be **WARNED** in the strongest possible terms of the seriousness of the offences for which he had been convicted and the effect any further convictions might have on the continuation of his Private Hire Driver's Licence.

## 26. PRIVATE HIRE DRIVER'S LICENCE – GRANT – MR. M. H. (REF: 12)

The Head of Environmental and Consumer Services reported on an application by Mr. M. H. for the grant of a Private Hire Driver's Licence, which she was not authorised to approve in view of the application being outside the Council's Convictions Policy.

Mr. M. H. had been invited to attend to answer the questions of the Panel on this matter. Mr. M. H, a friend and an Interpreter were present at the meeting and the Panel followed their procedure for oral hearings as set out at minute 442(6)/90 of the then Licensing Sub-Committee.

**Resolved:** That having regard to:-

- (a) the Council's Convictions Policy,
- (b) that Mr. M. H. had held a Private Hire Driver's license for 17 years,
- (c) Mr. M. H.'s previous good character, and
- (d) Mr. M. H. having shown genuine remorse.
- (e) the statement made by Mr. M. H. prior to the meeting and the oral representations made by him at the meeting.

the application by Mr. M. H for the grant of a Private Hire Driver's License be **APPROVED** for a period of 2 years subject to compliance with the Council's pre-licensing requirements.

**(Note: (i) In accordance with Standing Order 20.3 Councillors Garrett and Siederer required that their vote against the above decision be recorded.**

**(ii) The meeting ended at 8.30pm)**