

# REGULATORY COMMITTEE

Minutes of the meeting held on Monday 1 August 2005 in the Town Hall, Royal Leamington Spa at 10.00 am.

**Present:** Councillor Mrs Goode (Chair); Councillors Coker, Harris, Mrs Knight, Kundi and Windybank

(Apologies for absence were received from Councillor Ms Flanagan).

## 291. DECLARATIONS OF INTEREST

### Minute Number 295 Hackney Carriage/ Private Hire Driver with Conviction

Councillor Mrs Goode declared a personal interest when this matter was considered as it became apparent to her that she was an acquaintance of the driver's father.

Councillor Kundi declared a personal and prejudicial interest when this matter was considered as it became apparent to him that he knew the driver concerned and left the room while the matter was being considered.

## 292. MINUTES

The minutes of the meetings held on 20 April (two) and 20 June 2005 were taken as read and signed by the Chair as a correct record.

## 293. PUBLIC AND PRESS

**RESOLVED** that under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting for the following three items by reason of the likely disclosure of exempt information within paragraph 4 Schedule 12A of the Local Government Act 1972.

## 294. ALLEGATION AGAINST LICENSED PRIVATE HIRE DRIVER

A report was submitted from Members' Services on an allegation from a member of the public against one of the Council's licensed private hire drivers.

On 18 April 2005 a verbal complaint was received about the driving and behaviour of a licensed private hire driver, during a journey on 16 April 2005. As a result of this complaint, the vehicle was immediately inspected and a notice of suspension was served. This meant that the vehicle was immediately ordered off the road. Shortly after this the proprietor of the firm provided a fresh vehicle to replace the suspended vehicle.

On 19 May 2005 a witness statement had been received from the complainant giving full details of her complaint. A copy of the witness statement was circulated with the report and had been supplied to the driver

## **REGULATORY COMMITTEE MINUTES (Continued)**

who it was thought was involved. A copy of an interview with the driver was also circulated with the report for the information of Members.

The complainant, (Mrs R S), attended the meeting together with her husband who was also present during the journey complained about.

The records at the private hire company showed that the journey had been undertaken by Mr S. Mr S had been invited to attend the meeting.

Mr S attended together with a previous Manager from the private hire firm involved to speak on his behalf.

The complainant addressed the Committee and referred to her statement. She did not have anything to add to the statement.

Mr S was invited to question Mr and Mrs R S but declined to do so.

Members then questioned Mr and Mrs R S. During the questioning, Mr and Mrs R S were asked if they could positively identify the driver but they said that they were unable to do so.

Mrs R S informed the meeting that, having listened to Mr S address the Committee she was convinced that he was not the driver involved.

In the circumstances, the Committee accepted her information and Mr S was informed that no further action would be taken.

Mr and Mrs R S were thanked for pursuing their complaint and attending the Committee.

**RESOLVED** that the Officers be asked to speak with the operator of the firm involved and impress on him the importance of keeping accurate records.

### **295. HACKNEY CARRIAGE/PRIVATE HIRE DRIVER WITH CONVICTION**

A report from Members' Services was submitted on convictions revealed against the holder of a hackney carriage/private hire driver's licence.

Details of the convictions recorded against Y K G, date of birth 14.11.1965, were set out in the report.

Y K G attended the meeting, addressed the Committee and answered questions from Members.

Y K G was then invited to sum up which he did.

He then left the room whilst the Committee made a decision.

The Committee received advice from the Officers, including advice on the provisions of the Human Rights Act 1998.

## **REGULATORY COMMITTEE MINUTES (Continued)**

**RESOLVED** that no action be taken against Y K G but he be given a warning as to his future conduct.

Y K G was then invited back into the meeting and informed of the decision.

### **296. HACKNEY CARRIAGE DRIVER WITH CONVICTIONS**

A report from Members' Services was submitted on convictions revealed against the holder of a hackney carriage driver's licence.

Details of the convictions recorded against T M H, date of birth 23.4.1968, were set out in the report.

T M H, together with another hackney carriage driver, attended the meeting, addressed the Committee and answered questions from Members.

T M H was then invited to sum up which he did through his representative.

He then left the room whilst the Committee made a decision.

The Committee received advice from the Officers, including advice on the provisions of the Human Rights Act 1998.

**RESOLVED** that no action be taken against T M H but he be given a warning as to his future conduct.

T M H was then invited back into the meeting and informed of the decision.

(The meeting ended at 11.50 am.)

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