

Meeting of the Taxis Committee

Thursday 30th May, 2019 at 6.00pm

In Committee Room 2 at the Council House, Priory Road, Dudley

Agenda - Public Session

(Meeting open to the public and press)

1. Apologies for absence.
2. To report the appointment of any substitute members serving for this meeting of the Committee.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. [To confirm and sign the minutes of the meeting held on 18th April, 2019 as a correct record.](#)
5. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).

Under the provisions of Part I of Schedule 12A to the Local Government Act 1972, the Monitoring Officer has decided that there will be no advance disclosure of the following reports because the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure

6. Resolution to exclude the public and press.

Chair to move:

“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 under Part I of Schedule 12A to the Local Government Act 1972, as amended, for the reasons stated on the agenda.”

Agenda - Private Session

(Meeting not open to the public and press)

7. Review of a Private Hire and Hackney Carriage Driver's Licence – Mr AWA (Pages 1 – 3) (the report contains exempt information relating to an individual).
8. Application for a Grant of a Private Hire Driver's Licence – Mr TQN (Pages 4 – 6) (the report contains exempt information relating to an individual).
9. Application for a Grant of a Hackney Carriage Driver's Licence – Mr AS (Pages 7 – 9) (the report contains exempt information relating to an individual).
10. Application for Grant of a Hackney Carriage Driver's Licence – Mr SB (Pages 10 – 13) (the report contains exempt information relating to an individual).



Chief Executive

Dated: 21st May, 2019

Distribution:

Councillor A Hopwood (Chair)

Councillor K Lewis (Vice-Chair)

Councillors A Aston, H Bills, R Body, J Cowell, S Keasey (Substitute for B Challenor), E Lawrence and C Neale

Please note the following:

In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

Public WiFi is available in the Council House. The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, please contact us in advance and we will do our best to help you.

You can view the [Democratic Services Privacy Notice](#) and more information about the Council and our meetings on the website www.dudley.gov.uk

Elected Members

Agendas containing reports with exempt information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Following the meeting confidential papers should be handed to the Democratic Services Officer for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

Members can submit apologies by contacting Democratic Services. The appointment of any Substitute Member(s) should be notified to Democratic Services at least one hour before the meeting starts.

You can contact Democratic Services by Telephone 01384 815238 or E-mail Democratic.Services@dudley.gov.uk



Minutes of the Meeting of the Taxis Committee

Thursday 18th April, 2019 at 6.00 p.m.
in Committee Room 2 at the Council House, Priory Road, Dudley

Present:-

Councillor R Body (Chair)
Councillor M Hanif (Vice-Chair)
Councillors A Aston, M Aston, J Cowell, S Keasey and C Neale

Officers:-

H Marsh-Geyton – Head of Fleet and Waste Care, B Hughes – Assistant Team Manager, (Place Directorate); S Wright - Solicitor and K Griffiths - Democratic Services Officer (Chief Executive's Directorate)

89 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors P Bradley, A Hopwood and K Lewis.

90 **Appointment of Substitute Member**

It was noted that Councillor S Keasey had been appointed as a substitute member for Councillor P Bradley for this meeting of the Committee only.

91 **Declarations of Interest**

Councillor M Hanif declared a non-pecuniary interest in respect of agenda item no. 8 – Review of a Private Hire Driver's Licence – Mr ZAZ, as the driver was known to him. Councillor M Hanif confirmed that he would withdraw from the meeting during consideration of the item.

92 **Minutes**

Resolved

That the minutes of the meeting held on 14th March, 2019, be approved as a correct record and signed.

93 **Department for Transport Consultation on Statutory Guidance for Licensing Authorities**

A report of the Strategic Director Place was submitted on the outcome of the meeting that had taken place on 1st April, 2019 to assist in formulating a response to the Department for Transport (DFT) consultation on statutory guidance for licensing authorities.

The Head of Fleet and Waste Care presented the report and the Chair thanked Members for their contribution in formulating a formal response to the DFT.

Members suggested that clear reference to threatening or violent offences be considered and included in the document, rather than assuming such offences would be included in the question relating to “Other Offences”.

In referring to the question relating to Language Proficiency, it was confirmed that a comprehensive verbal knowledge test was carried out, however, a subsequent visual test was carried out should knowledge of the language not be at the level expected.

Resolved

That the formal response to the Department for Transport (DFT) consultation on statutory guidance for licensing authorities, be approved.

94 **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.

At this juncture, Councillor M Hanif withdrew from the meeting during consideration of the following application.

95 **Review of a Private Hire Driver’s Licence – Mr ZAZ**

A report of the Strategic Director Place was submitted to consider a review of a Private Hire Driver’s Licence issued to Mr ZAZ, in the light of a complaint received.

Mr ZAZ was in attendance at the meeting, together with his representative, Mr SS and an Interpreter. The complainant, Ms ST and witness Ms TE, together with Mr PH, Enforcement Officer involved in the case, were also in attendance.

The Head of Fleet and Waste Care presented the case on behalf of the complainant. Following the presentation of the report submitted, Mr ZAZ confirmed that the content of the report was a fair reflection of the incident on 13th September, 2018.

All parties responded to questions asked by the Committee. Issues were raised by Members concerning the lack of the English language that Mr ZAZ was able to understand and speak and were concerned that conversations may have been misunderstood.

In responding to a question raised, the Enforcement Officer commented that he had requested Closed Circuit Television (CCTV) footage from the establishment where the complainant and Ms TE had been taken to, however, no footage had been made available.

Following further discussion, Mr ZAZ informed the Committee that there were no other 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 Committee is unable to conclude that, on a balance of probabilities, the events as described during the hearing by the complainant had taken place and therefore, no action be taken.

At this juncture Councillor M Hanif rejoined the meeting.

96 **Application for Grant of Exemptions on Private Hire Vehicle Licences**

A report of the Strategic Director Place was submitted to consider an application made on behalf of Mr SB for the grant of exemptions on the private hire vehicle licences.

Mr SB was in attendance at the meeting and responded to questions asked by the Committee and in doing so indicated that his company undertook diverse executive travel operations.

The Committee indicated that it was a condition of licence to display a plate in the internal vehicle, however, considered that a dispensation could be considered in special circumstances. It was highlighted during consideration of the case, that door signage did not need to be displayed in accordance with Condition 11 of Private Hire Vehicle Licences.

Resolved

That, following careful consideration of the information contained in the report submitted and as reported at the meeting, approval be given to the grant of exceptions on Private Hire Vehicle Licences, as detailed at the meeting.

97 **Review of a Private Hire Driver's Licence – Mr AK**

A report of the Strategic Director Place was submitted to consider a review of the Private Hire Driver's Licence issued to Mr AK.

Mr AK was in attendance at the meeting, together with his representative, Mr SS and responded to questions asked by the Committee in relation to the offence committed and the breach of Condition 12 of his Private Hire Driver's Licence.

Mr AK advised the Committee that there were no matters pending that needed to be brought to the Committee's attention.

Resolved

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

98 **Review of a Private Hire Driver's Licence – Mr AM**

A report of the Strategic Director Place was submitted to consider a review of a Private Hire Driver's Licence issued to Mr AM.

Mr AM was in attendance at the meeting and responded to questions asked by the Committee in relation to circumstances surrounding the offences committed.

Mr AM advised the Committee that there were no other matters pending that needed to be brought to the Committee's attention.

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the Private Hire Driver's Licence issued to Mr AM be suspended for a period of one month, in light of the offences committed.

Mr AM was advised of his right to appeal the decision of the Committee.

99 **Application for Grant of a Private Hire Driver's Licence – Mr MN**

A report of the Strategic Director Place was submitted to consider an application for grant of a Private Hire Driver's Licence to Mr MN.

Mr MN was in attendance at the meeting together with his representative, Mr SS.

Mr SS made representations on behalf of Mr MN and in doing so indicated that the convictions that had taken place prior to 2009 had previously been dealt with and should not be considered as part of the application. Mr MN responded to questions asked by the Committee in relation to the circumstances of the offences committed and also confirmed that there were no other matters pending that needed to be brought to their attention.

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, approval be given to the grant of a private hire driver's licence to Mr MN for a period of twelve months.

100 **Application for Grant of a Private Hire Driver's Licence – Mr SR**

A report of the Strategic Director Place was submitted to consider an application for grant of a Private Hire Driver's Licence to Mr SR.

Mr SR was in attendance at the meeting together with his representative, Mr SS.

Mr SR responded to questions asked by the Committee in relation to the circumstances of the offence committed and also confirmed that there were no other matters pending that needed to be brought to their attention.

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, approval be given to the grant of a private hire driver's licence to Mr SR for a period of three years.

101 **Grant of a Hackney Carriage Driver's Licence – Mr SB**

The Assistant Team Manager advised that the applicant was unable to attend the meeting to present his case and had requested that consideration of the application be deferred to a future meeting.

Resolved

That the application for the grant of a Hackney Carriage Driver's Licence to Mr SB, be deferred to a future meeting of the Committee.

The meeting ended at 8.55 pm

CHAIR