

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