

TAXIS COMMITTEE

WEDNESDAY 24TH APRIL 2013

**AT 5.30 PM
IN COMMITTEE ROOM 3
THE COUNCIL HOUSE
DUDLEY**

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

**KAREN TAYLOR
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**You can view information about Dudley MBC on
www.dudley.gov.uk**

Your ref:

Our ref:
TX/KT

Please ask for:
Mrs K Taylor

Telephone No.
01384 818116

16th April, 2013


Dear Member

TAXIS COMMITTEE – WEDNESDAY 24TH APRIL, 2013.

You are requested to attend a meeting of the Taxis Committee to be held on Wednesday, 24th April, 2013 at 5.30pm in Committee Room 3 at the Council House, Dudley, to consider the business set out in the Agenda below.

The agenda and public reports are available on the Council's Website www.dudley.gov.uk and follow the links to Councillors in Dudley and Committee Management Information System.

Yours sincerely



Director of Corporate Resources

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To report the appointment of any substitutes for this meeting of the Committee.

3. DECLARATIONS OF INTEREST

To receive declarations of interest in accordance with the Members' Code of Conduct.

4. MINUTES

To approve as a correct record and sign the minutes of the meeting held on 13th March, 2013.

5. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE RULE 11.8 (IF ANY)

PRIVATE SESSION

In accordance with Part 1 of Schedule 12A to the Local Government Act 1972, the Proper Officer has determined that there will be no advance disclosure of the following reports because the public interest in disclosing the information set out in the following items is outweighed by the public interest in maintaining the exemption from disclosure.

6. RESOLUTION TO EXCLUDE THE PUBLIC

To consider the adoption of the following resolution:

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 1 of Schedule 12A to the Local Government Act 1972 as indicated below:-

<u>Agenda Item No.</u>	<u>Description of Item</u>	Relevant Paragraph of Part I of Schedule 12A
7	Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr SB	1
8	Review of Private Hire Driver's Licence – Mr MR	1
9	Renewal of Private Hire and Hackney Carriage Drivers' Licences – Mr RH	1
10	Grant of Private Hire and Hackney Carriage Drivers' Licences – Mr AA	1

11	Review of Private Hire Driver's Licence – Mr KH	1
12	Review of Hackney Carriage Driver's Licence – Mr GH	1
13	Grant of Hackney Carriage and Private Hire Drivers' Licences – Mr MF	1

7. RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR SB (PAGES 1 - 8)

To consider a report of the Director of Corporate Resources

8. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR MR (PAGES 9 – 12)

To consider a report of the Director of Corporate Resources

9. RENEWAL OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR RH (PAGES 13 – 17)

To consider a report of the Director of Corporate Resources

10. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCES – MR AA (PAGES 18 – 20)

To consider a report of the Director of Corporate Resources

11. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE – MR KH (PAGES 21 – 23)

To consider a report of the Director of Corporate Resources

12. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR GH (PAGES 24 – 28)

To consider a report of the Director of Corporate Resources

13. GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR MF (PAGES 29 – 30)

To consider a report of the Director of Corporate Resources

To all Members of the Taxis Committee, namely
Councillors

A. Ahmed
A. Aston
Mrs Simms
K.Turner

Mrs Ameson
Body
Sykes

M Aston
Cowell
Taylor (sub)

TAXIS COMMITTEE

Wednesday, 13th March, 2013 at 5.30 p.m.
In Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Body (Chair)
Councillor A. Aston (Vice-Chair)
Councillors A. Ahmed, Mrs. Ameson, Mrs. Aston, Cowell, Mrs. Simms, Sykes
and K. Turner.

Officers:-

Assistant Director (Law and Governance), Mr T Holder, Solicitor, and Mrs K
Taylor (all Directorate of Corporate Resources).

Also in attendance:-

Mr S Saleem, Dudley Private Hire Taxi Association, together with
approximately 30 Taxi Driver's in respect of Agenda Item 6 – Review of Policy
(Private Hire Cars).

127. DECLARATIONS OF INTEREST

There were no declarations of interest from Members, in accordance with the
Members' Code of Conduct.

128. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 7th
February, 2013, be approved as a correct record and signed.

129. 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 Nos. 6, 5, 9, 10, 11, 12 and 13.

130. REVIEW OF POLICY (PRIVATE HIRE CARS)

A report of the Director of Corporate Resources was submitted on a review of the policy in relation to private hire vehicles in respect of the colour of private hire vehicles.

Arising from the presentation of the report submitted, the Assistant Director (Law and Governance) updated the Committee by reading in full the correspondence submitted by Chief Superintendent Stuart Johnson, Dudley LPU Commander, outlining the position of the Dudley Police. This included that from a crime and disorder perspective it was considered important by Chief Superintendent Johnson that all registered Dudley Borough private hire vehicles were of an identified uniform colour. He stated that the actual colour is not an issue that the Police would seek to influence, however, it would assist their investigations if the colour chosen differed to that being used by neighbouring authorities.

It was also noted that Chief Superintendent Johnson stated that there was little hard evidence to support the premise that a single vehicle colour was in itself safer. Other cities allow a choice of colour and there were no data or studies to suggest that cities such as Birmingham and Manchester who allowed a choice of colour suffer a higher proportion of violence or sexual offences as a consequence.

Mr Saleem then made his representations on behalf of the Dudley Private Hire Taxi Association, and in doing so circulated a bundle of documents to the Committee in respect of the introduction of an additional colour for private hire vehicles in the Dudley Borough, and submitted that it would be more expensive for taxi driver's to purchase white vehicles alone but that it would be easier if there were two colours.

It was suggested by Mr Saleem that on average a white vehicle would cost two thousand pounds more than a silver or grey vehicle, and that there were more grey vehicles available than white or silver.

Mr Saleem stated that other cities including Manchester allowed a choice of colours and referred to conversations he had had with an enforcement officer from Manchester who confirmed that Manchester had licensed 206 white vehicles and 2,186 silver vehicles.

Mr Saleem further stated that taxi vehicles should be recognised by the roof sign and plate and not predominately by the colour, as most customers would rather hire a taxi based on cheap fares and not the colour.

It was noted that a petition had been submitted to support the introduction of another colour for private hire vehicles.

Mr A Mahmood made his representations, on behalf of the Hackney Carriage Drivers, and in doing so stated that the preference of an additional colour of vehicles would be silver, as grey would clash with other vehicles in neighbouring boroughs. He reminded the Committee to note that when it was decided by the Legal and Property Committee in 1995, that all private hire vehicles must be white from 1 January 2000, from the same date no hackney

carriage vehicle could continue to be white.

In responding to representations made, a member stated that the vehicles should remain white and that many taxi drivers do work in different boroughs depending on where their journey takes them. She also stated that other cities were able to introduce their own policies but that it would not mean that Dudley would have to mirror them, and that it was the taxi drivers responsibility to ensure that all roof signs and back plates were displayed at all times.

Another member stated that the concept of altering colours of taxi vehicles would confuse members of the public, and that it would also be beneficial if a taxi vehicle displayed a notice stating that the vehicle would not be insured unless a booking had been made.

In responding to comments made, a member commented that practices led by other councils such as Manchester could be a model example.

A member raised concerns that the colour of private hire vehicles should not be changed to adhere to fashion trends, and that the majority of the public in the Dudley Borough did recognise a private hire vehicle as white.

It was noted that it would be beneficial for the private hire vehicles to be one colour to identify which borough they were licensed too.

A member stated that the priority was public safety and that he supported the proposal for the introduction of an additional colour for private hire vehicles.

The Chair informed the Committee that he had undertaken an exercise within his ward whereby he discussed with taxi drivers who owned grey private hire vehicles, why they were living in the Dudley Borough but not licensed in the Borough. The Chair stated that the responses received were that many taxi drivers believed that Dudley were strict in how they dealt with drivers who offended, that they were able to purchase a cheaper vehicle and that they were also allowed to advertise their business within Dudley.

Following further discussion it was

RESOLVED

That the proposal to amend the policy in relation to the colour of private hire vehicles, to allow the introduction of two colours, be refused; and the 1995 Policy that from 1 January 2000, all private hire vehicles shall be white, be retained.

131.

COMPETITION FOR TAXI BASE OF THE YEAR

A report of the Director of Corporate Resources was submitted to consider the nominations and submissions for Taxi Base of the Year Competition.

Arising from the presentation of the report, the Chair stated that having reviewed all the nominations received it was evident that each taxi base had provided a good service to customers.

Concerns were raised by a member in respect of the authentication of the nominations once submitted, and asked how many vehicles were operated from each of the bases nominated. In responding, the Assistant Director (Law and Governance) provided the following statistics:

- Beacon Taxis received two nominations, and employed forty-eight taxi drivers.
- Five Star received one nomination, and employed fifty-seven taxi drivers.
- Regal Cabs received one nomination, but operated as a one man Hackney Carriage Taxi Driver Company.
- AMC received one nomination.
- Waterfront received forty-three nominations, and employed forty-seven taxi drivers.
- Express Taxis received forty-six nominations, and employed thirty-two taxi drivers.
- Castle received sixty-six nominations, and employed fifty-one taxi drivers.
- Midland ACA received seventy-one nominations, and employed fifty-two taxi drivers.
- New Star received eighty-six nominations, and employed fifty taxi drivers.

Following a brief discussion and a vote it was

RESOLVED

That the competition for Taxi Base of the Year be awarded to Castle Cars.

132. 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 1 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.

Description of Item

Relevant paragraph of Part I of Schedule 12A

Grant of Private Hire and
T/65

1

Hackney Carriage Drivers'
Licences – Mr MN

Review of Hackney Carriage
Driver's Licence – Mr RHS 1

Grant of Hackney Carriage and
Private Hire Drivers' Licences –
Mr KH 1

Grant of Private Hire Driver's
Licence – Mr KH 1

Revocation of Hackney Carriage
Driver's Licence – Mr SC 1

133. GRANT OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS'
LICENCES – MR MN

A report of the Director of Corporate Resources was submitted on an application made for the grant of private hire and hackney carriage drivers' licences in respect of a Mr MN.

Mr MN, was in attendance at the meeting, together with his Solicitor, Mr Schiller, and a supporter, Mr Nasar.

It was noted that this matter had been considered by the Committee on three separate occasions, and that it had been resolved that the matter be deferred pending the receipt of further information to enable to Committee to be presented with all the relevant information.

Mr Schiller made representations on behalf of his client in particular that appropriate enquiries had been made which had resulted in there being no action and that Mr MN had not been placed on the Child Protection Vetting and Barring Register.

Following a brief discussion, Mr MN informed the Committee that there were no matters pending that they need to be made aware of.

RESOLVED

1. 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 private hire and hackney carriage drivers' licences to Mr MN for a period of twelve months.
2. That in view of the Safeguarding Panel's decision, that Mr MN's name be not placed on the Child Protection Vetting and Barring Register, no further action be taken.

134. REVIEW OF HACKNEY CARRIAGE DRIVERS' LICENCE – MR RHS

A report of the Director of Corporate Resources was submitted on a review of the hackney carriage driver's licence issued to Mr RHS, in the light of the offence committed as indicated in paragraph 7 of the report submitted.

Mr RHS was not in attendance at the meeting and a reason for absence had not been received.

The Solicitor informed the Committee that since the writing of the report, Mr RHS had appealed the decision made by the Crown Court at Wolverhampton on 15th February, 2013.

RESOLVED

That consideration of the review of the hackney carriage driver's licence issued to Mr RHS be deferred for consideration at a future meeting of the Committee pending the outcome of Mr RHS's appeal to the High Court.

135. GRANT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' LICENCES – MR KH

A report of the Director of Corporate Resources was submitted on an application made for the grant of hackney carriage and private hire drivers' licences in respect of a Mr KH.

Mr KH, was in attendance at the meeting, and informed the Committee that there were no matters pending that they needed to be made aware of.

RESOLVED

That, approval be given to the grant of hackney carriage and private hire drivers' licences to Mr KH for a period of three months, and that any future renewals be dealt with by the Assistant Director of Law and Governance, under delegated powers, provided that Mr KH had no offences or matters pending at the time of renewal.

136. GRANT OF PRIVATE HIRE DRIVER'S LICENCE – MR KH

A report of the Director of Corporate Resources was submitted on an application made for the grant of private hire drivers' licences in respect of a Mr KH.

Mr KH was in attendance at the meeting, together with a supporter, and responded to questions asked by the Committee. He also informed them that there were no matters pending that they needed to be made aware of.

RESOLVED

That, approval be given to the grant of hackney carriage and private hire drivers' licences to Mr KH for a period of three months, and that any future renewals be dealt with by the Assistant Director of Law and Governance, under delegated powers, provided that Mr KH had no offences or matters pending at the time of renewal.

137. REVOCATION OF HACKNEY CARRIAGE DRIVER'S LICENCE – MR SC

A report of the Director of Corporate Resources was submitted on the revocation of the hackney carriage driver's licence issued to Mr SC, in the light of his disqualification from driving for a period of twenty months.

Mr SC was not in attendance at the meeting and a reason for absence had not been received.

Having decided to hear the matter in his absence it was

RESOLVED

That, given the disqualification from driving for a period of twenty months, the hackney carriage driver's licence issued to Mr SC be revoked with immediate effect.

The meeting ended at 7.30 p.m.

CHAIR