



<b>Committee and Date</b>
Licensing and Safety Sub Committee
Wednesday 20 <sup>th</sup> June 2012

<b>Item</b>
<b>4</b>
Public

**MINUTES OF THE LICENSING AND SAFETY SUB COMMITTEE MEETING HELD ON TUESDAY, 13<sup>th</sup> MARCH 2012**

9.30 a.m. – 4.58 p.m.

**Responsible Officers** Emily Marshall (Minutes 536 - 549) and Shelley Davies (Minutes 550 – 561)  
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**Present**

Councillors: A. Davies (Chairman Minute 536 – 549)  
P. Adams (Chairman Minute 550 – 561)  
Mrs B. Baker (Minute 536 - 549), T. Barker (Minute 536 – 549),  
W. Benyon (Minute 550 – 561) and V. Bushell (Minute 550 – 561).

**536. APOLOGIES FOR ABSENCE**

None received.

**537. PUBLIC QUESTION TIME**

There were no public questions, statements or petitions received.

**538. DECLARATIONS OF INTEREST**

None received.

**539. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Officer presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Abid Mahmood whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth)

Contact: Emily Marshall on 01743 252726 or Shelley Davies on 01743 252719

Mr Mahmood (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant intended to ply for hire on 5 days each week in Zone 1 (Bridgnorth) and that it took him approximately 45 minutes to reach the area from his home.

In response to questions raised by the Licensing Officer and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He had previously worked as a delivery driver;
- He had not identified a particular type of client or a particular area he would ply for hire from;
- He could not name any night spots in the area;
- He had not researched or visited any other towns within Zone 1;
- He would start work immediately should his application be granted; and
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;

The Licensing Officer summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 9.46 a.m. and reconvened at 9.57 a.m. to announce their decision.

**RESOLVED:**

That the application for a Hackney Carriage Licence for Zone 1 (Bridgnorth) be refused.

In making their decision, Members took into account the answers given to their questions at the meeting and concluded from the evidence that the applicant did not have a real intention to ply for hire, to a material extent, in Zone 1. Further, while the vehicle was out of the Shropshire Council area, Officers could not inspect the vehicle or ensure that the Council's conditions were being complied with.

**540. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Ibrar Hussain whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 2 (Wem).

Contact: Emily Marshall on 01743 252726 or Shelley Davies on 01743 252719

Mr Hussain (the applicant) was in attendance and had with him a friend for support. The applicant presented the case to the Sub-Committee, confirming that he had a knowledge of the area and named Market Drayton and Whitchurch.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He currently worked as a delivery driver;
- He would park in safe places such as side roads and supermarket car parks when plying for hire;
- If there was insufficient Hackney Carriage work he would consider taking Private Hire work with an operator;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He would start work immediately should his application be granted; and
- He intended to work part time, 2 -3 days within Shropshire;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 10.09 a.m. and reconvened at 10.15 a.m. to announce their decision.

#### **RESOLVED:**

That the application for a Hackney Carriage Licence for Zone 2 (Wem) be refused.

In making their decision, Members took into account the answers given to their questions at the meeting and concluded from the evidence provided, that the applicant did not have a real intention to ply for hire, to a material extent, in Zone 2 and that the vehicle would be out of the area to a significant extent. Further, while the vehicle was out of the Shropshire Council area, Officers could not inspect the vehicle or ensure that the Council's conditions were being complied with.

#### **541. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Mohammed Shakil whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth). The Licensing Team Leader confirmed that the applicant had given further details of where he intended to work as working with National

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Cars. In response to questions from Members of the Sub-Committee, the Licensing Team Leader confirmed that there were two National Cars that she knew of, one based in Birmingham and one based in Wolverhampton.

Mr Shakil (the applicant) was in attendance and had with him a friend for support and to assist with translation. The applicant presented the case to the Sub-Committee.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He lived in the Aston area of Birmingham;
- He knew of other applicants that had their licences granted and were working from a base;
- He hoped to work from the same base as his friends, but could not remember the name of the base or where the base was located;
- He intended to park his car at bus stops and on the side of the road when plying for hire
- He would start work immediately should his application be granted;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand; and
- This was his only vehicle.

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 10.33 a.m. and reconvened at 10.35 a.m. to announce their decision.

#### **RESOLVED:**

That the application for a Hackney Carriage Licence for Zone 1 (Bridgnorth) be refused. The Sub-Committee found that that the applicant intended to undertake predominantly Private Hire work and advised the applicant to contact an operator within the Shropshire area and submit an application for a Private Hire Licence.

In making their decision, Members took into account that the applicant had indicated on his application form that he intended to work for National Cars, a Private Hire Operator. Members also took into account the answers given to their questions at the meeting and concluded that the applicant did not intend to ply for hire to a material extent within Zone 1 (Bridgnorth).

#### **542. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

Contact: Emily Marshall on 01743 252726 or Shelley Davies on 01743 252719

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Mohammed Maskeen whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Maskeen (the applicant) was in attendance and had with him a friend to assist with translation. The applicant was invited to present his case.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He intended to ply for hire from the train station and local night spots;
- He intended to work 6 days each week during the afternoon, evenings and nights;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 10.50 a.m. and reconvened at 10.53 a.m. to announce their decision.

**RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

**543. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Amjad Hussain whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Contact: Emily Marshall on 01743 252726 or Shelley Davies on 01743 252719

Mr Hussain (the applicant), Mr Nolan (the applicant's legal representative) and the applicant's cousin were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant had undertaken research into the area and was satisfied that he could make a living plying for hire in the Zone 1 area. The applicant wished to work in the area on 6 days a week, including weekends when he hoped to pick up trade from local night spots and he intended to move his family to the area at some point in the future.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He was currently employed on a part time ad hoc basis by a care agency;
- He planned to research the area if his licence were granted;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He would delay taking his licence plate until he had researched the area;
- He would be using the vehicle for general domestic purposes such as trips to the supermarket; and
- He would not take any Hackney Carriage or Private Hire work in Birmingham;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 11.14 a.m. and reconvened at 11.18 a.m. to announce their decision.

**RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

**544. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

Contact: Emily Marshall on 01743 252726 or Shelley Davies on 01743 252719

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Ajmal Taj whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Taj (the applicant), Mr Nolan (the applicant's legal representative) and the applicant's cousin were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant intended to work for National Cars in Shifnal and had commuted to and from Wakefield for two years where he presently worked as a taxi driver. He now wanted to find work nearer to home as he had a wife and young family. Mr Nolan explained that the applicant had applied for a Private Hire Licence but as National Cars was a new business he wanted to be able to supplement the Private Hire bookings with Hackney Carriage work.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He currently held a badge with Wakefield Council;
- If his application for a Hackney Carriage Licence was granted he would hand back his Shropshire Council Private Hire Licence;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 11.29 a.m. and reconvened at 11.32 a.m. to announce their decision.

#### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) and not keep or work with the vehicle for a substantial amount of time out of the Zone.
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.
3. The applicant's most recent MOT Certificate be accepted as adequate for the purposes of issuing the licence.

## **545. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Tassadaq Razaq whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Razaq (the applicant) was in attendance and presented his case to the Sub-Committee.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had previously worked as a Private Hire driver in London;
- He lived in Telford, just outside the Zone 1 area;
- He had not applied for a licence from Telford and Wrekin Council as he believed it was easier to get a licence from Shropshire Council and Zone 1 was very close to his home;
- He now wanted to work solely as a Hackney Carriage driver and would not take any Private Hire work;
- He would ply for hire on taxi stands within the town;
- His vehicle would only be used as a Hackney Carriage; and
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 11.45 a.m. and reconvened at 11.47 a.m. to announce their decision.

### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) and not keep or work with the vehicle for a substantial amount of time out of the Zone.
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

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#### **546. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Mohammad Suleman whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Suleman (the applicant), Mr Nolan (the applicant's legal representative) and the applicant's wife and young son were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant had approached Wednesfield Cars (National Cars) in Shifnal and would take some Private Hire Work from this operator, but would predominantly ply for hire within Zone 1. The applicant intended to work evenings and nights and at some point in the future he hoped to move his family to the area.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He lived in the Sparkhill area of Birmingham;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He would start work immediately should his application be granted;
- He had never worked as a taxi driver before, but had previously been employed as a delivery driver; and
- The vehicle would only be used as a Hackney Carriage and would not be used as a family car.

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 12.01 p.m. and reconvened at 12.02 p.m. to announce their decision.

#### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) and not keep or work with the vehicle for a substantial amount of time out of the Zone.
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a

condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

#### **547. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Mohammed Khan whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Khan (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant was unemployed, intended to make a career for himself and hoped to move his family to the area should his licence be granted.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire driver before;
- He intended to work nights;
- He had family living in Telford;
- He would park at bus stops and other safe places when plying for hire;
- If there was insufficient work in Bridgnorth he would move to Shifnal;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand; and

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 12.13 p.m. and reconvened at 12.19 p.m. to announce their decision.

#### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) not keep or work with the vehicle for a substantial amount of time out of the Zone.
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made

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be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

#### **548. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Hukan Said whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 4 (Shrewsbury).

Mr Said (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, explaining that the applicant had made a large financial investment in purchasing a wheelchair accessible vehicle and intended to move to the Shrewsbury area.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire driver before;
- He would start work immediately should his application be granted;
- He would park at the ranks in Zone 4 when plying for hire;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 12.30 p.m. and reconvened at 12.32 p.m. to announce their decision.

#### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 4 (Shrewsbury) and not trade for a substantial amount of time out of the Zone and that his vehicle had been adapted for wheelchair accessibility.
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a

condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

#### **549. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Siddique Hussain whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Hussain (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant lived in Oldbury and it took him approximately 35 minutes to commute to the area.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire driver before;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- His vehicle would only be used as a Hackney Carriage; and
- He did not plan to undertake any work in Birmingham;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 12.39 p.m. and reconvened at 12.41 p.m. to announce their decision.

#### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) and not keep or work with the vehicle for a substantial amount of time out of the Zone.
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

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*(The meeting was adjourned at 12.45 p.m. and reconvened at 1.30 p.m.)*

*Councillors Mrs Beverley Baker, Tim Barker and Andrew Davies left the meeting at this point.*

*Councillors Vernon Bushell, Peter Adams and Bill Benyon joined the meeting at this point.*

## **550. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Shazad Iqbal whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Iqbal (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant currently worked as a Private Hire Driver in Birmingham but was looking to move out of Birmingham to work as a Hackney Carriage Driver in Shropshire.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He currently worked for a Private Hire Company in Birmingham City Centre named Opal Cars;
- He might work 1 – 2 days in the Birmingham/Solihull area depending on the work available in Zone 1;
- He had visited Zone 1 and looked around the pubs in the area;
- He intended to build up his own business in Shropshire and target high profile customers;
- He noticed a number of customers at the Crown Pub when he was in the area one evening;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He would surrender his Birmingham City Council Private Hire Vehicle Licence Plates if his application was successful;
- He lived in the Aston area of Birmingham; and
- He intended to work in the evenings between 7pm – 2am, 3 – 4 nights a week with a 1 or 2 nights working in Solihull;

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The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 1.47 p.m. and reconvened at 1.51 p.m. to announce their decision.

**RESOLVED:**

That the application for a Hackney Carriage Licence be granted subject to the following conditions:

1. That the applicant work 4 days a week in Zone 1 (Bridgnorth);
2. That evidence be provided to the Licensing Team to show that the applicant's Birmingham City Council Private Hire Vehicle Licence Plates had been surrendered; and
3. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

Reasons: Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) but required additional assurance in relation to the work the applicant intended to undertake in Birmingham/Solihull area. The Members also mentioned that they expected the applicant to apply for a Private Hire Operators licence in the future when he started Private Hire Work.

**551. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Ali Abdalla whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Abdalla (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant was currently employed on a part time basis and was familiar with the area.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

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- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He knew of other applicants that had their licences granted and were working within the Bridgnorth area;
- If his application was successful he would consider moving to the area.
- He would park his vehicle in a safe place such as the bus stop when plying for hire;
- When he had visited Bridgnorth he found the town and high town in particular very busy;
- He did not intend to undertake any work in Birmingham;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He intended to work 5 – 6 days a week to include Thursday, Friday, Saturday and Sundays for 12 hours a day;
- He lived in the Yardley area of Birmingham; and
- He would stop working for Enterprise Cars if his application was successful.

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

**RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (5 – 6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

**552. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Abdulwahed Ahmed whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Ahmed (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant intended to ply for hire in the Bridgnorth area and had researched the area on the internet.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He had previously worked in a hotel;
- He would park his vehicle outside hotels and restaurants when plying for hire;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He intended to start work immediately upon receipt of his plates;
- If he found there to be no work he would surrender his plates;
- He lived in the Edgbaston area of Birmingham; and
- He intended to work 5 – 6 days a week but was unsure what days at present.

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 2.12 p.m. and reconvened at 2.18 p.m. to announce their decision.

#### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (5 – 6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

#### **553. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Ibrahim Ahmed whose home address was outside



the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Ahmed (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant intended to ply for hire in the Bridgnorth area and wanted the opportunity to work as he was currently unemployed.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He had previously worked in a factory and as a courier;
- He knew of other applicants that had their licences granted and were working within the Bridgnorth area;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He did not intend to undertake any work in Birmingham;
- He intended to start work immediately upon receipt of his plates;
- He lived in the Aston area of Birmingham; and
- When he had visited the area the Lion Hotel was busy;

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

**RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) and not keep or work with the vehicle for a substantial amount of time out of the Zone.
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

**554. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Sami Mohammed Ali whose home address was outside the Shropshire Council area and Officers were not satisfied that the

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applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Ali (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. Mr Nolan explained that Mr Ali had changed his vehicle from the vehicle stated on his application form.

**RESOLVED:**

That consideration of an application for a Hackney Carriage Licence from Mr Sami Mohammed Ali be deferred to enable him to amend the details on his application form, see Minute Number 556.

**555. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Shabaz Ali whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Ali (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant intended to ply for hire within Zone 1 (Bridgnorth).

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He had previously worked in retail and security industry;
- He would park his vehicle at bus stops and outside pubs in Bridgnorth when plying for hire;
- He would look to Private Hire Operators if he found there was no Hackney Carriage work;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He intended to start work immediately upon receipt of his plates;
- As this was his only vehicle he would use the vehicle for the school run and shopping;
- He lived in the Moseley area of Birmingham;
- He would work 5 – 6 days a week but was unsure of further details at present; and
- He understood the difference between a Hackney Carriage and a Private Hire Vehicle Licence.

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The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

**RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (5 – 6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

**556. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Sami Mohammed Ali whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth). The Licensing Team Leader confirmed that Mr Ali had amended the details of his vehicle on the application form to a Silver Vauxhall Vectra with the registration KG04FME.

Mr Ali (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant intended to ply for hire within Zone 1 (Bridgnorth).

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He knew of other applicants that had their licences granted and were working within the Bridgnorth area;
- He would park his vehicle at bus stops in Bridgnorth when plying for hire;
- If there was no work in Bridgnorth he would try the area of Shifnal;
- He did not intend to undertake any pre-booked work in Birmingham;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He intended to start work immediately upon receipt of his plates;

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- He lived in the Losels area of Birmingham;
- He would consider moving to the area if he found there was enough work; and
- He would work 5 – 6 days a week working initially during the daytime.

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

**RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (5 – 6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

**557. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Ahmed Elsaye whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Elsaye (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant had contacted the Council to change the vehicle on the application form to a Mercedes E220 with the registration KP53ODB. The Licensing Team Leader confirmed that there was a note on the file in relation to the change of vehicle and was unsure why this had not been reflected in the report.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He would park his vehicle in a safe place outside clubs, pubs and restaurants when plying for hire;
- He did not intend to undertake any work in Birmingham;
- He would consider moving to the area if he found there was enough work;

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- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He intended to start work immediately upon receipt of his plates;
- He understood that once licensed the vehicle was always considered a Hackney Carriage and the roof signs could not be removed; and
- He would work 5 – 6 days a week in the evening.

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

**RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (5 – 6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

**558. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Sajjad Khan whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Khan (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant intended to ply for hire in Zone 1 (Bridgnorth).

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- There was no rank in Bridgnorth;
- He would park his vehicle outside nightspots in Bridgnorth when plying for hire;
- He was currently employed on a part time basis by Warwick University;
- He would use the vehicle to travel to Warwick University;

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- He was familiar with Zone 1;
- He was unsure what hours he would work at present and might stop working at the University if he found there was enough work in Bridgnorth;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He lived in the Small Heath area of Birmingham;
- He did not intend to undertake any work in Birmingham; and
- He would consider moving to the area if he found there was enough work.

The Licensing Team Leader summed up the application and noted her concern in relation to the vehicle being used by the applicant to commute to Warwick University and therefore being used extensively out of the Shropshire Council area. The Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision. Mr Nolan on behalf of the applicant suggested that the applicant would keep records to help distinguish between Hackney Carriage work and the applicant's commute to Warwick University.

Members of the Sub-Committee retired to consider the matter, in private, at 3.36 p.m. and reconvened at 3.41 p.m. to announce their decision.

**RESOLVED:**

That the application for a Hackney Carriage Licence be granted subject to the following conditions:

1. A letter from Warwick University be sent to the Licensing Team confirming the applicant's employment details (i.e. Days/Hours worked);
2. A record be kept of all journeys made to Warwick University as volunteered by the applicant; and
3. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

Reasons: Members accepted the applicant's assurances that he intended to ply for hire, to a material extent, within Zone 1 (Bridgnorth) and not trade out of the area to a substantial degree, but required additional assurance as the vehicle was also used by the applicant to commute to work.

**559. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Team Leader in respect of an application for a Hackney Carriage Licence.

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The Licensing Team Leader presented the report to the Sub-Committee, advising Members that an application had been received for a Hackney Carriage Licence from Mr Muhammad Wasim whose home address was outside the Shropshire Council area and Officers were not satisfied that the applicant intended, to a material extent, to ply for hire within Zone 1 (Bridgnorth).

Mr Wasim (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, confirming that the applicant was currently unemployed and intended to work solely in Zone 1 (Bridgnorth).

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant confirmed that:

- He had never worked as a Hackney Carriage or Private Hire Driver before;
- He would park his vehicle at bus stops and outside clubs and supermarkets when plying for hire;
- He did not intend to undertake any work in Birmingham;
- He was prepared to keep full and complete records of customers and mileage to be presented to the Licensing Team on demand;
- He intended to start work immediately upon receipt of his plates; and
- He would work 5 – 6 days a week, 10 – 12 hours per day.

The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

#### **RESOLVED:**

1. That the application for a Hackney Carriage Licence be granted, as the Members accepted the applicant's assurances that he intended to ply for hire, to a material extent (5 – 6 days a week), within Zone 1 (Bridgnorth).
2. That as agreed with the applicant there be a condition placed on the licence to the effect that a record of all customers and all journeys made be recorded and made available for inspection when required. Such a condition to be set and worded by the Licensing Team Leader and to include mileage of journeys.

#### **560. THE LICENSING OF HACKNEY CARRIAGE SALOON VEHICLE IN ZONE FOUR (FORMER BOROUGH OF SHREWSBURY AND ATCHAM)**

Consideration was given to a report of the Licensing Team Leader in respect of a renewal application for a saloon Hackney Carriage in Zone 4 (former Borough of Shrewsbury and Atcham).

The Licensing Team Leader presented the report to the Sub-Committee, advising Members that the vehicle did not meet current policy for Zone 4, as it

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was not wheelchair accessible, and the Sub Committee needed to consider whether there were any exceptional circumstances to warrant licensing a vehicle outside of this policy.

In response to questions from a Member of the Sub-Committee the Licensing Team Leader confirmed that:

- On the formation of Shropshire Council in 2009, Mr Jones and 7 other proprietors of saloon vehicles had the benefit of three years' Grandfather Rights to allow the proprietors time to change their vehicle to comply with the policy;
- The proprietors were notified of the policy and it was clearly stated on their renewal letter each time the licence was renewed;
- There had been no change to the policy since 2009; and
- The policy was not part of the changed along with other amendments introduced in October 2011.

Mr Jones (the applicant) and Mr Nolan (the applicant's legal representative) were in attendance. The applicant's legal representative presented the case to the Sub-Committee, stating that the Sub-Committee had the power to depart from the policy where there were exceptional circumstances

Mr Nolan explained that the applicant intended to retire in 2015 and was currently undergoing medical tests. Due to his health the applicant was unable to load a wheelchair onto a vehicle. Furthermore, he commented that it would be unreasonable to require the applicant to purchase a vehicle that was wheelchair accessible as he would have to meet the outstanding loan for his current vehicle. He submitted that these three factors together, age, medical and financial, were exceptional circumstances that would warrant licensing his vehicle outside of policy.

In response to questions raised by the Licensing Team Leader and Members of the Sub-Committee, the applicant maintained that:

- He had attended hospital on 6<sup>th</sup> December for medical tests and was awaiting confirmation;
- He read an article about the changes to taxi policy and assumed that the policy in relation to Wheelchair accessible vehicles had been amended;
- He did not mention the health issue in his letter as he felt it was personal;
- He was informed by a Licensing Officer prior to the purchase of his current vehicle that he would be able to run it to the end of it's life;
- If he had been made aware by the Licensing Officer that the wheelchair policy was still in place he would have bought a wheelchair accessible vehicle instead; and
- The cost of a second hand wheelchair accessible vehicle would start at approximately £4000.



The Licensing Team Leader summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 4.33 p.m. and reconvened at 4.53 p.m. to announce their decision.

**RESOLVED:**

That the renewal application for a saloon Hackney Carriage in Zone 4(former Borough of Shrewsbury and Atcham) be refused.

Reasons: After hearing the representations the Sub-Committee did not consider there to be any exceptional reasons why they should depart from policy, noting that the current policy was introduced in 2009 and had not changed following consultation on Terms and Conditions. It was added that each renewal letter the applicant had received since 2009 clearly stated that the benefit of grandfather rights would end in 2012.

The following additional comments were made by the Chairman in response to the circumstances stated by the applicant:

Financial

With regards to the outstanding loan for the vehicle it was stated that all vehicles depreciate in value and that the applicant had been earning income from the use of the vehicle. It was added that the applicant had mentioned that a wheelchair accessible vehicle could be bought for £4,000 and it was the applicant's choice of what vehicle he bought.

Health

The health matters referred to (even if relevant) were not proven and the Sub-Committee could only take into account evidence at the time of the meeting.

**561. APPLICATION FOR A HACKNEY CARRIAGE LICENCE**

Consideration was given to a report of the Licensing Officer in respect of an application for a Hackney Carriage Licence.

The Sub-Committee were advised that Mr Mohammed Siddique (the applicant), was not in attendance.

**RESOLVED:**

That the application be deferred for future determination.

Chairman:.....

Contact: Emily Marshall on 01743 252726 or Shelley Davies on 01743 252719

Date:.....

Contact: *Emily Marshall on 01743 252726 or Shelley Davies on 01743 252719*