

## LICENSING & SAFETY COMMITTEE

Wednesday 21<sup>st</sup> February, 2018 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

### Present:

Councillor S. Fitzpatrick (Chair)  
Councillor Sarohi (Vice-Chair)  
Councillor Clarke  
Councillor S. Ditta  
Councillor J. Fitzpatrick  
Councillor E. Hazell (Substitute)  
Councillor Murray  
Councillor Nawaz (arrived at 6.15p.m.)  
Councillor Rochelle  
Councillor Sears

### Officers

David Elrington	Regulatory Services Manager (Business and Compliance)
Lorraine Boothman	Regulatory Services Manager (Community Protection)
Paul Green	Solicitor
Neil Picken	Senior Democratic Services Officer

### 1790/18 Apologies

Apologies for non-attendance were submitted on behalf of Councillors D. Hazell, Hussain and Washbrook.

### 1791/18 Substitution

Councillor E. Hazell substitute for Councillor D. Hazell.

### 1792/18 Declarations of Interest

There were no declarations of interest.

1793/18 **Minutes**

**Resolved**

That the Minutes of the meeting held on 22 November, 2018 a copy having previously been circulated to Members of the Committee, be approved and signed by the Chairman as a correct record.

1794/18 **Change in the order of business**

The Chair advised that item 6 (Application for a Hackney Carriage Vehicle License) would be considered prior to item 5 (The Prosecution of Mohsin Zeb).

1795/18 **Local Government Act (Access to Information Act, 1985 (as amended))**

The Chair moved and it was duly seconded, that the public be excluded from the meeting during consideration of item 6 – Application for a hackney carriage vehicle licence.

**Resolved**

That the public be excluded from the meeting for the consideration of item 6 - Application for a hackney carriage vehicle licence.

**Summary of item considered in private session**

1796/18 **Exceptional Circumstances Request**

***Councillor Nawaz was not present during consideration of this item.***

The Committee considered the application and made a decision thereon.

(Exempt information under paragraphs 1, 2 and 3 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended).

***At this point the Committee returned to public session***

***Councillor Nawaz joined the meeting.***

The report of the Director of Public Health was submitted:-

(See annexed)

The Chair stated that Mr Zeb had clearly gone to great length to deceive the authority. Members supported the view that this was an exceptional circumstance and not a failure of the service. Mr Zeb had access to a number of his brother's documents and purposefully set out to deceive the council.

A member asked what was stopping an individual from committing fraud again, why Wolverhampton had refused the licence in respect of Mr Zeb and sought clarity as to how robust the test environment for new drivers was at Walsall Adult and Community College (WACC).

In response, the Regulatory Services Manager (Community Protection) explained that a new 'live' national database was due to come into operation in April, 2018 which would contain all drivers that have their licence refused or revoked. It had not been revealed whether old cases would be entered onto the system. In respect of Wolverhampton, the committee gave more weight to the minor convictions within Mr Zeb's application and so refused to grant him a licence. With regard to the test, the process had been raised with the WACC. They were confident that systems were robust but agreed to undertake a review.

Debate followed in which a number of suggestions were put forward to prevent such a situation from occurring again such as improved use of technology. It was suggested that photographs be included within all reports to committee but officers assured members that identification was checked thoroughly by officers. It was also suggested that a passport should be mandatory as a form of identification but this was subsequently deemed to have limitations. Officers explained that photo identification was required which could be either a driving licence or a passport.

In relation to a query about the duration of time taken to retrieve Mr Zeb's licence, officers advised that it was a legal requirement to provide drivers 7 days within which to surrender their licence. In this case, it took slightly longer despite correspondence went via Mr Zeb's solicitor.

In closing, members formally thanked officers involved in the process which led to Mr Zeb's conviction. It was asked that a letter of thanks be sent from the Chair on the Committees behalf to the relevant individuals.

**Resolved**

1. That the outcome of the review undertaken by Walsall Adult and Community College be circulated to members of the Committee; and;
2. That the Chair writes to base operators involved in the successful conviction of Mr Zeb to thank them for their diligence.

The meeting terminated at 6.50 p.m.

Chairman.....

Date.....