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TRAFFORD COUNCIL

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE MEETING

Date: Wednesday, 19 October 2016

Time: 6.30 pm

Place: Council Chamber Trafford Town Hall, Talbot Road, Stretford, Manchester,
M32 0TH

A G E N D A	PART I	Pages
1.	ATTENDANCES	
	To note attendances, including Officers and any apologies for absence.	
2.	MINUTES	
	To receive and if so determined, to approve as a correct record the Minutes of the meetings held on 12 th September 2016 and 22 nd September 2016.	1 - 6
3.	PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE TESTING CONTRACT	
	To note a report of the Head of Regulatory Services.	7 - 10
4.	URGENT BUSINESS (IF ANY)	
	Any other item or items (not likely to disclose "exempt information") which, by reason of special circumstances (to be specified), the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.	
5.	EXCLUSION RESOLUTION (REMAINING ITEMS)	
	Motion (Which may be amended as Members think fit):	
	That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or	

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categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

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|-----|--|----------------|---------|
| 6. | PRIVATE HIRE DRIVER - CONVICTION WHICH EXCEEDS THE SCHEME OF DELEGATION | PART II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 11 - 12 |
| 7. | PRIVATE HIRE DRIVER - CONVICTION FOR ILLEGALLY PLYING FOR HIRE | PART II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 13 - 16 |
| 8. | USING A VEHICLE WITH AN EXPIRED LICENCE AND USING A MOTOR VEHICLE WITHOUT A POLICY OF INSURANCE | PART II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 17 - 38 |
| 9. | THREE COMPLAINTS RECEIVED BY THE LICENSING SERVICE REGARDING THE SAME DRIVER DURING 2016 | PART II | |
| | To consider a report of the Head of Regulatory Services. | Para. 1 | 39 - 52 |
| 10. | URGENT BUSINESS (IF ANY) | | |

THERESA GRANT
Chief Executive

Membership of the Committee

Councillors M. Whetton (Chairman), A. Mitchell (Vice-Chairman), S.K. Anstee, A. Duffield, M. Freeman, D. Jarman, M. Sephton, E.W. Stennett and J. Smith

Further Information

For help, advice and information about this meeting please contact:

Natalie Owen, Democratic & Scrutiny Officer
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This agenda was issued on **Monday, 10 October 2016** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

PUBLIC PROTECTION SUB-COMMITTEE

12 SEPTEMBER 2016

PRESENT

Councillor M. Whetton (in the Chair).

Councillors A. Mitchell (Vice-Chairman), M. Freeman and D. Jarman

In attendance

J. Boyle	- Licensing Team Leader
G. Levy	- Regulatory Services Mgr (Trading Standards & Licensing)
M. Jones	- Interim Head of Legal Services
R. Worsley	- Democratic and Scrutiny Officer

APOLOGIES

Apologies for absence were received from Councillors S.K. Anstee, A. Duffield, M. Sephton, E.W. Stennett and J. Smith

7. EXCLUSION RESOLUTION (REMAINING ITEMS)

RESOLVED: That the public be excluded from this meeting during consideration of the following items on the agenda because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as specified.

8. PRIVATE HIRE DRIVER'S LICENCE

The Chairman told the sub-committee that the meeting had been called as a matter of urgency to consider this item of business due to the serious nature of the issues to be considered.

The Head of Regulatory Services submitted a report requesting Members to consider whether to renew a Private Hire driver's licence.

Mr Oakes, Hackney Drivers Association requested an adjournment on behalf of the driver, Mr S to allow Mr Oakes additional time to read the report concerning Mr S and refer the matter to a barrister.

At the request of the Chairman, Mr Levy Regulatory Services Manager (Trading Standards & Licensing) outlined the report.

The Sub-Committee looked at the timing and considered whether to adjourn the matter to the next meeting in fairness to all concerned.

RESOLVED: That this item be adjourned to the next meeting on 22nd September.

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12 September 2016**

The meeting commenced at 4.00 pm and finished at 5.00 pm

PUBLIC PROTECTION SUB-COMMITTEE

22 SEPTEMBER 2016

PRESENT

Councillor M. Whetton (in the Chair).

Councillors S.K. Anstee, A. Duffield, M. Freeman, D. Jarman, M. Sephton, E.W. Stennett and J. Smith

In attendance

D. Goldstein	- Solicitor
J. Boyle	- Licensing Team Leader
N. Owen	- Democratic and Scrutiny Officer

Also Present

Councillor D.L. Haddad – Substitute for Councillor A. Mitchell

APOLOGIES

An apology for absence was received from Councillor A. Mitchell

9. MINUTES

RESOLVED: That the minutes of the Public Protection Sub-Committee meeting held on 21st July 2016 be agreed as a correct record and signed by the Chairman.

10. REQUEST FOR REVIEW OF VEHICLE LICENCE CONDITION - VEHICLE IDENTIFICATION PLATE

The Head of Regulatory Services submitted a report requesting Members to consider a request from a private hire vehicle proprietor to review the Council's current condition relating to the fixing of identification plates to licensed vehicles.

Representations were made by Mr. Morgan, PMJ Travel.

RESOLVED: That the current condition be amended to read as follows:

The identification platform must be securely fixed to the rear outer most part of the vehicle's bodywork, to the satisfaction of an authorised officer. The fixing of plates on the front or rear windshield is not allowed.

The plate must be affixed to the platform by means of the fixing devices supplied by the Council. The plate must be clearly visible to the driver of a following vehicle, and it must be capable of being easily removed by an authorised officer or a constable. The plate shall be so affixed to the vehicle, by the proprietor at his own expense.

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11. HACKNEY CARRIAGE UNMET DEMAND STUDY 2015

The Head of Regulatory Services submitted a report requesting members to consider the findings of a study conducted on behalf of the Council in to the demand for hackney carriage services in Trafford.

Representations were made by several members of the taxi trade.

RESOLVED: That the recommendation of the survey be accepted and the current limit of 143 vehicle licences be maintained.

12. EXCLUSION RESOLUTION (REMAINING ITEMS)

RESOLVED: That the public be excluded from this meeting during consideration of the following items on the agenda because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as specified.

13. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - CONVICTION THAT EXCEEDS THE SCHEME OF DELEGATION

The Head of Regulatory Services submitted a report requesting Members to consider an application for the grant of a Private Hire driver's licence.

The applicant attended the meeting to enable Members to give the matter their full consideration.

The applicant provided the Sub-Committee with a brief outline of what he said were the circumstances of the offence.

The applicant also answered questions directed to him from Sub-Committee Members.

RESOLVED: That Mr. U. R's application for a Private Hire driver's licence be granted.

14. PRIVATE HIRE DRIVER'S LICENCE

The Head of Regulatory Services submitted a report requesting Members to consider whether to renew a Private Hire driver's licence.

The driver's representative explained the events.

The driver answered questions from the Sub-Committee.

The Sub-Committee noted that there have been 3 allegations/incidents of a sexual nature made against the driver over a 4 ½ year period. Each allegation(s) taken individually or collectively are serious in their own right and the frequency of the allegations could not be ignored.

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It was also noted that the allegations were made by 3 different complainants who were not related to each other and the allegations were of a similar nature. The Sub-Committee's view was that there was a lack of detail provided by the driver as to his account of these 3 matters.

In relation to his conviction for plying for hire , it was determined that his explanation was not plausible, insofar as he stated that the passengers got into his vehicle off their own volition despite him telling them that they were not allowed to. This conviction in its own right is also considered to be a significant factor in the Sub-Committee reaching its decision.

RESOLVED: That Mr. Y. Z was not a fit and proper person to hold a Private Hire driver's licence

The meeting commenced at 6.00 pm and finished at 8.05 pm

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TRAFFORD COUNCIL

PUBLIC PROTECTION SUB-COMMITTEE – 19TH OCTOBER 2016

REPORT OF THE HEAD OF REGULATORY SERVICES

PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE TESTING CONTRACT

PURPOSE

To update the sub-Committee on the contract for providing vehicle testing of all proposed and existing Trafford private hire and hackney carriage vehicles.

RECOMMENDATIONS

Report to be noted

IAIN VEITCH

Head of Regulatory Services

Further Information From:

Name: Joanne Boyle

Ext: 4129

1. **BACKGROUND**

1.1 The contract to test all Trafford hackney carriage and private hire vehicles is currently undertaken by Essential Fleet Services at the Council's Higher Road Depot in Urmston. This contract is due to expire on the 8th January 2017.

1.2 In July 2016 the Council's Licensing Section engaged the services of STAR Procurement to oversee the process of awarding a new contract.

1.3 It was agreed that the appropriate route to market would be via an invitation to tender process, as this will be a concession based contract with an estimated value of £500,000.00

1.4 The agreed timeline for awarding the contract is as follows:

Issue of Invitation to Tender	3 rd October 2016
Submission of Tender	4 th November 2016
Evaluation of Tender	7 th – 11 th November 2016
Recommendation to Award	14 th November 2016
Award of Contract	21 st November 2016
Standstill period (Alcatel)	Midnight on the 5 th December 2016
Final Award	6 th December 2016
Contract commencement	1 st February 2017

1.5 Should Essential Fleet Services be unsuccessful then the current contract will be extended from the 9th January until the 1st February 2017 to allow a handover of existing bookings and staff to the new provider.

1.6 The contract has been advertised on the Chest portal and stakeholders have been notified. Please see attached invitation to tender notice.

1.7 The award of the contract is being managed by STAR Procurement and all questions and answers relating to the process will be dealt with by them through the portal.

1.8 In terms of the contract specification, the successful Contractor must demonstrate that they can carry out the testing of vehicles in an efficient and cost effective manner; have innovative and flexible ways of dealing with requests for service; and will be able to deal with the expected increase in demand over the next three years. In this way the new contract should ensure competitive pricing coupled with a quality service for both the hackney carriage and private hire trades.

1.9 The contract will be awarded for three years with an option to extend for a further two years.

1.10 A further report will be presented to the Sub-committee once the contract has been awarded.



Dear Provider,

The tender for Trafford Council's Taxi and Private Hire Testing Service will be advertised via the Chest website (www.the-chest.org.uk) on or around the 3rd October 2016.

If you are interested you will need to register on the Chest website and then, under current opportunities for Trafford Council, register an interest using your user name and password.

The tender is to be called "Trafford Council's Taxi and Private Hire Testing Service" and the Reference number will be "DN179504"

You will subsequently be sent an email from the Chest containing a link that will enable you to download the tender documents.

You will not be sent the tender documentation – it is your responsibility to download the tender documents directly from the Chest.

All completed tender documents and any tender submission will then need to be uploaded back on to the Chest by the deadline date/time of 12:00hrs on 04/11/16

Any questions you may have regarding the tender will need to be raised through the Q&A facility on the Chest website and relevant Q&A's will be shared with all companies that have registered an interest in this tender opportunity.

When Providers register on the Chest please ensure they use the following key word search:

Keyword 1:

Vehicle Services

Keyword 2:

Taxi

Keyword 3:

Testing

Keyword 4:

Inspection

Keyword 5:

Private Hire

Keyword 6:

Hackney Carriage

I have listed some common Categories of Interest that may be useful for Providers to register against:-

181800 - Technical Equipment

181900 - Testing & Inspection

261600 - Travel & Subsistence

360000 - Public Transport

Regards

Chris Conway

Category Manager STAR Procurement

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