

**Minutes of the Meeting of the Taxis Committee
Thursday 14th September, 2022 at 6.00 pm
in Committee Room 2 at the Council House, Dudley**

Present:

Councillor A Hopwood (Chair)
Councillors M Aston, R Body, D Harley, P Lee, A Lees, J Martin, D Stanley and W Sullivan.

Officers:

S Smith – Team Manager (Licensing and Waste Enforcement), N Slym – Assistant Team Manager (Licensing and Waste Enforcement) (Directorate of Public Realm), T Holder (Solicitor) and K Griffiths (Democratic Services Officer) (Directorate of Finance and Legal)

Also in attendance:

S Ahmed-Aziz (Solicitor) (Directorate of Finance and Legal) - Observer

31 Minute Silence

As a mark of respect, the Committee observed a minute silence following the passing of Her late Majesty Queen Elizabeth II.

32 Apology for absence

An apology for absence from the meeting was submitted on behalf of Councillor B Challenor.

33 **Appointment of Substitute Member**

It was reported that Councillor W Sullivan had been appointed as substitute member for Councillor B Challenor, for this meeting of the Committee only.

34 **Declarations of interest**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matters considered at the meeting.

35 **Minutes**

Resolved

That the minutes of the meeting held on 11th August, 2022, be approved as a correct record and signed.

36 **Exclusion of the Public and Press**

Resolved

That the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information relating to an individual(s) as defined under Part 1 of Schedule 12A to the Local Government Act 1972, as amended.

37 **Grant of a Private Hire Driver's Licence – Mr IS**

A report of the Interim Director of Public Realm was submitted to consider the application received on behalf on Mr IS for the grant of a Private Hire Driver's licence.

Mr IS was in attendance at the meeting

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report and in doing so advised the Sub-Committee that Mr IS had previously held private hire and hackney carriage drivers' licences with Dudley, however, the licences had been revoked by the Committee on 15th June, 2017, following the conviction of an offence, which was outlined in the report submitted to the meeting.

Mr IS explained the circumstances surrounding the offence and indicated that the offence occurred when he had been a juvenile and he had since learned his lesson.

Mr IS responded to all questions raised by the Committee and confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Solicitor provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

Resolved

That, following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Guidance, the Committee determined Mr IS to be a fit and proper person to hold a licence and therefore a Private Hire Driver's Licence be granted.

38 Grant of a Private Hire Driver's Licence – Mr NM

A report of the Interim Director of Public Realm was submitted to consider the application received on behalf on Mr NM for the grant of a Private Hire Driver's licence.

Mr NM was in attendance at the meeting, together with a supporter.

Following the presentation of the report, Mr NM, together with his supporter outlined the circumstances of the case. The Committee were advised that Mr NM was currently working long shifts in a factory and recognised that he had not allowed sufficient time between sitting the tests for local knowledge and law pertaining to private hire, which had affected his ability to successfully complete the tests as he had not been able to dedicate the required time to study. Although, it was acknowledged that there was a language barrier, the Committee were assured that Mr NM understood the requirements of the position and was able to communicate and understand English adequately as he had successfully completed the test relating to law pertaining to private hire. Mr NM stated that it was his desire to be employed by the taxis trade and indicated that should the Committee allow him a further opportunity to take the local knowledge and law pertaining to private hire tests, he would commit himself and ask for advice from colleagues and friends to ensure that he successfully completed both tests.

Mr NM and his supporter responded to all questions raised by the Committee and it was confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

Following the opportunity to sum-up, the Solicitor to the Committee then provided a legal summary in relation to the case, following which all parties withdrew from the meeting to enable the Committee to determine the application.

All parties were invited back to meeting for a further question to be asked, following which, all parties again withdrew from the meeting to enable the Committee to determine the application.

Resolved

That following consideration of the information contained in the report submitted, and as reported at the meeting, Mr NM be given a further opportunity to take his tests for local knowledge and law pertaining to private hire.

39 Grant of a Private Hire Driver's Licence – Mr ZD

A report of the Interim Director of Public Realm was submitted to consider the application received on behalf on Mr ZD for the grant of a Private Hire Driver's licence.

Mr ZD was in attendance at the meeting.

Following the presentation of the report submitted, Mr ZD confirmed that the content of the report was a true reflection of his driving history.

Mr ZD explained the circumstances of the offence outlined in paragraph 4 of the report submitted and indicated that 2021 had been a difficult year for his family, together with the implications of Covid-19 restrictions, which had resulted in an extended stay in Pakistan, and had caused a financial strain on the family. Having clarified that he had been banned from driving following his final offence, which had increased his driving penalty points to twelve, he indicated that he had been a taxi driver for 20 years and it was his desire to return to the taxi trade. Although the Committee had raised a number of questions in relation to his three speeding offences, Mr ZD was unable to provide the required information and indicated that he was unable to remember the circumstances, although, he confirmed that his speeding offences were not excessive.

Mr ZD responded to all questions raised by the Committee, following which the Solicitor to the Committee then provided a legal summary in relation to the case.

All parties then withdrew from the meeting to enable the Committee to determine the application.

Resolved

That, following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Guidance, the application for the grant of a Private Hire Driver's Licence in respect of Mr ZD, be refused, as the Committee was not satisfied that the applicant was a fit and proper person to be granted a private hire driver's licence, due to the excessive number of penalty points received in a short period of time, for the offences committed, as outlined in the report submitted, despite numerous strong written warnings as to his future conduct being issued.

Mr ZD was informed of his right to appeal the decision of the Committee.

A report of the Interim Director of Public Realm was submitted to consider the application received on behalf of Mr TH for the grant of a Private Hire Driver's licence.

Mr TH was in attendance at the meeting, together with his daughter.

Mr TH's daughter explained that Mr TH acknowledged the severity of the offences committed and explained the circumstances surrounding his failure to declare the two offences committed in 2003 and 2008, which resulted in a breach of condition 2 of his hackney carriage and condition 10 of his private hire drivers' licences. The Committee were advised that the offences occurred when he had been a juvenile and he had since learned his lesson. Mr TH confirmed that he fully understood the requirements of holding a private hire driver's licence and indicated that he would like the opportunity to return to the taxi trade and provide for his family. Mr TH confirmed that he had previously held hackney carriage and private hire drivers' licences with Dudley since 1999 until his licence was revoked in 2009 and for the past three years he had been licensed as a taxi driver for Wolverhampton City Council, however, he had ceased driving six months ago as he preferred to work for a Dudley taxi operator.

Mr TH responded to all questions raised by the Committee, following which the Solicitor to the Committee then provided a legal summary in relation to the case.

All parties then withdrew from the meeting to enable the Committee to determine the application.

Resolved

That, following careful consideration of the information contained in the report submitted, the evidence provided at the meeting and having regard to the Committee Guidelines and Statutory Guidance, the Committee determined Mr TH to be a fit and proper person to hold a licence and therefore a Private Hire Driver's Licence be granted.

The meeting ended at 7.25pm.

CHAIR