

## **Meeting of the Taxis Committee**

**Thursday 1<sup>st</sup> June, 2023 at 6.00pm**

**At Saltwells Education Development Centre,  
Bowling Green Road, Dudley, DY2 9LY**

### **Agenda**

#### **Agenda – Public Session**

**(Meeting open to the public and press)**

1. Apologies for absence.
2. To report the appointment of any substitute members serving for this meeting of the Committee.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. [To confirm and sign the minutes of the meeting held on 5<sup>th</sup> April, 2023 as a correct record \(Pages 5 – 10\)](#)
5. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).
6. Resolution to exclude the public and press.

Chair to move:



“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 under Part I of Schedule 12A to the Local Government Act 1972, as amended, for the reasons stated on the agenda.”

Under the provisions of Part I of Schedule 12A to the Local Government Act 1972, the Monitoring Officer has decided that there will be no advance disclosure of the following reports because the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

7. Review of a Private Hire and Hackney Carriage Driver's Licence – Mr MKS (Pages 11 -15) (the report contains exempt information relating to an individual)
8. Application for Grant of a Private Hire Driver's Licence – Mr MA (Pages 16 – 18) (the report contains exempt information relating to an individual)
9. Application for Grant of a Private Hire Driver's Licence – Mr SH (Pages 19 – 21) (the report contains exempt information relating to an individual)
10. Review of a Private Hire Driver's Licence – Mr SH (Pages 22 – 25) (the report contains exempt information relating to an individual)
11. Review of a Private Hire Driver's Licence – Mr ZM (Pages 26 – 36) (the report contains exempt information relating to an individual)



**Chief Executive**

**Dated: 23<sup>rd</sup> May, 2023**

**Distribution:**

Councillor A Hopwood (Chair)  
Councillor B Challenor (Vice-Chair)  
Councillors M Aston, K Denning, D Harley, W Little, J Martin, W Sullivan  
and A Taylor.

## **Please note the following concerning meetings at Saltwells Education Development Centre:**

To continue to protect vulnerable people, you are asked to note the following information when attending meetings:-

- Do not attend if you feel unwell; if you have tested positive for Covid-19; if you are self-isolating or if you suspect that you are symptomatic.
- Windows/doors will be opened to provide adequate ventilation.
- Sanitise your hands when arriving and leaving the building and wash your hands regularly.
- Hand sanitiser and antibacterial wipes are available at various locations.
- People suffering from long term conditions or living with vulnerable people are encouraged to wear face masks in meeting rooms, communal areas and when moving around the building. Surgical masks are available at reception.
- All people are encouraged to be vaccinated to limit any potential ill-health effects.
- Be respectful of everyone's personal space and preferences when you attend meetings.
- If you cannot maintain distancing or in a crowded environment, please wear a mask

### **Toilets**

- Toilet facilities are available on site and are subject to the Covid-19 secure measures that are in place. All the toilets have hand washing facilities.

### **No smoking**

- There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on the premises. You cannot use e-cigarettes and/or similar vaping devices.

### **In Case of Emergency**

- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

### **Submitting Apologies for Absence**

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below). Members wishing to appoint a substitute should notify Democratic Services as soon as possible in advance of the meeting. Any substitute Members must be eligible to serve on the meeting in question (for example, he/she must have received the training required by the Council).

## **Private and Confidential Information**

- Any agendas containing reports with 'exempt' information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be handed to Democratic Services for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

## **General**

- Public Wi-Fi is available at Saltwells Education Development Centre.
- The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.
- Information about the Council and our meetings can be viewed on the website [\*\*www.dudley.gov.uk\*\*](http://www.dudley.gov.uk)

## **If you need advice or assistance**

- If you (or anyone you know) requires assistance to access the venue, or if you have any other queries, please contact Democratic Services - Telephone 01384 815238 or E-mail [\*\*Democratic.Services@dudley.gov.uk\*\*](mailto:Democratic.Services@dudley.gov.uk)

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**Minutes of the meeting of the Taxis Committee  
Wednesday 5<sup>th</sup> April, 2023 at 6.00 pm  
At Saltwells Education Development Centre,  
Bowling Green Road, Netherton, Dudley**

**Present:**

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

**Officers:**

N Slym (Assistant Team Manager (Licensing and Waste Enforcement)), T Holder (Solicitor) and H Mills (Senior Democratic Services Officer)

**95 Apologies for Absence**

No apologies were submitted for this meeting of the Committee.

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**96 Appointment of Substitute Members**

No substitutes were appointed for this meeting of the Committee

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**97 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.

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98 **Minutes**

**Resolved**

That the minutes of the meeting held on 15<sup>th</sup> February, 2023, be approved as a correct record and signed.

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99 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8

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100 **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.

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101 **Change in Order of Business**

Pursuant to Council Procedure Rule 1(c), it was:-

**Resolved**

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

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102 **Application for Grant of a Private Hire Driver's Licence – Mr AS**

A report of the Interim Director of Environment was submitted to consider the application for grant of a private hire driver's licence to Mr AS.

Mr AS was in attendance at the meeting, together with his Solicitor, Mr AS.

Mr AS made detailed representations on behalf of his client in support of his application and responded to questions raised by Members in relation to his previous convictions as outlined in paragraphs 3 and 4 of the report submitted.

Mr AS confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's 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 Standards, the Committee did not consider Mr AS to be a fit and proper person in view of his previous convictions and circumstances surrounding those convictions, therefore in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 the application to grant a Private Hire Driver's Licence to Mr AS, be refused.

Mr AS was informed of his right to appeal the decision.

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### **103 Review of a Private Hire Driver's Licence – Mr WN**

A report of the Interim Director of Environment was submitted to consider the review of the Private Hire Driver's licence issued to Mr WN.

Mr WN was not in attendance at the meeting. At the request of the Committee the Assistant Team Manager (Licensing and Waste Enforcement) confirmed that notification of the date, time and venue had been provided accordingly to Mr WN in advance of the meeting.

As Mr WN had been provided with sufficient notice and adequate time to attend the meeting, and due to the urgency of the review, the Committee determined that the review should continue in Mr WN's absence.

Two witnesses were invited and in attendance at the meeting.

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report in detail, in particular referring to the complaints received, as outlined in paragraph 4 of the report submitted and the two separate witness statements taken as a result of those complaints, which were confirmed as a true reflection by both witnesses.

The Committee's 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 review.

## **Resolved**

That following careful consideration of the information contained in the report submitted, evidence provided at the meeting and having regard to the Committee's Guidelines and Statutory Guidance, the Committee were of the view that in accordance with Section 61(1)(b) and Section 61(2B) of the Local Government (Miscellaneous) Act 1976, the Private Hire Driver's Licence issued to Mr WN be revoked with immediate effect in the interest of public safety. The Committee determined that the offences, as outlined in the report, amounted to reasonable cause to show that Mr WN was no longer a fit and proper person to hold a licence.

Mr WN would be advised of his right to appeal the decision of the Committee.

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### **104 Application for Grant of a Private Hire Driver's Licence – Mr AA**

A report of the Interim Director of Environment was submitted to consider the application for grant of a private hire driver's licence to Mr AA.

Mr AA was in attendance at the meeting, together with his Solicitor, Mr AS.

Mr AS made detailed representations on behalf of his client in support of his application and responded to questions raised by Members in relation to his previous convictions, as outlined in paragraph 3 of the report submitted.

Mr AS confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Committee's 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 Standards, the Committee determined that given the explanation provided, they were satisfied that Mr AA was a fit and proper person, therefore, the Private Hire Driver's Licence to Mr AA be granted.



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105 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr MKS**

At the request of Mr MKS and with agreement of the Committee, this item of business was deferred to a future meeting.

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106 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr SH**

A report of the Interim Director of Environment was submitted to consider the review of the Private Hire and Hackney Carriage Driver's licence issued to Mr SH.

Mr SH was in attendance at the meeting and explained the circumstances surrounding the endorsements of his Driver and Vehicle Licensing Agency (DVLA) mandate, as outlined in paragraph 4 of the report submitted, and responded to questions asked by the Committee.

Mr SH 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 Standards, the Committee determined that given the explanation provided and as Mr SH had not been carrying passengers when the offence was committed, the Committee were satisfied that Mr SH was a fit and proper person to hold a licence and a warning be issued regarding his future conduct.

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107 **Review of a Private Hire Driver's Licence – Mr KSK**

A report of the Interim Director of Environment was submitted to consider the review of the Private Hire Driver's licence issued to Mr KSK.

Mr KSK was in attendance at the meeting and explained the circumstances surrounding a breach of his private hire vehicle licence and the Council's Policy on the maintenance of vehicles, as outlined in paragraph 4 of the report submitted, and responded to questions asked by the Committee.

Mr KSK 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, evidence provided at the meeting and having regard to the Committee's Guidelines and Statutory Guidance, the Committee were of the view that in accordance with Section 61(1)(b) and Section 61(2A) of the Local Government (Miscellaneous) Act 1976, the Private Hire Driver's Licence issued to Mr KSK be suspended for a period of one month, in view of his breach of condition 1(o) of his private hire vehicle licence and the lack of compliance and consideration of the Council's Policy on the maintenance of vehicles.

Mr KSK was advised of his right to appeal the decision of the Committee.

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### 108 **Application for Renewal of a Private Hire Driver's Licence – Mr TH**

At the request of Mr TH and with agreement of the Committee, this item of business was deferred to a future meeting.

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The meeting ended at 7.56pm.

CHAIR