

**Minutes of the Meeting of the Taxis Committee
Monday 4th September, 2023 at 6.00 pm
in Committee Room 3 at the Council House, Dudley**

Present:

Councillor A Hopwood (Chair)
Councillor B Challenor (Vice-Chair)
Councillors M Aston, K Denning, D Harley, P Lee, J Martin and C Sullivan.

Officers:

S Smith (Team Manager - Licensing and Waste Enforcement), N Slym (Assistant Team Manager - Licensing and Waste Enforcement), S Ahmed-Aziz (Solicitor) and G Gray (Democratic Services Officer)

37 Apologies for Absence

Apologies for absence were received on behalf of Councillors W Little and A Taylor.

38 Appointment of Substitute Members

It was reported that Councillors P Lee and C Sullivan had been appointed to serve as substitute Members for Councillors W Little and A Taylor, respectively, for this meeting of the Committee only.

39 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.

40 **Minutes**

Resolved

That the minutes of the meeting held on 7th August, 2023, be approved as a correct record and signed.

41 **Questions Under Council Procedure Rule 11.8**

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

42 **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.

43 **Review of a Private Hire Driver's Licence – Mr ZM**

A report of the Interim Service Director of Environment Directorate was submitted to consider the review of the private hire driver's licence issued to Mr ZM.

Mr ZM was in attendance at the meeting.

Mr ZM explained the circumstances surrounding the endorsements on 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 ZM 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 detailed evidence and circumstances outlined by Mr ZM 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 ZM was a fit and proper person to hold a licence.

44 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.

45 Application for Grant of a Private Hire Driver's Licence – Mr MA

A report of the Interim Service Director of Environment Directorate was submitted to consider the application for the grant of a private hire driver's licence to Mr MA. The Assistant Team Manager - Licensing and Waste Enforcement presented the report and in doing so advised that the application had originally been submitted to the meeting held on 3rd July, 2023, however the Committee resolved for the matter to be deferred in order for Officers to verify the additional documentation submitted. It was clarified that the documentation had been verified and was considered accurate.

Mr MA was in attendance at the meeting together with a representative.

Mr MA's representative made detailed representations on behalf of Mr MA in support of his application and responded to questions raised by Members in relation to the endorsements on Mr MA's Driver and Vehicle Licensing Agency (DVLA) mandate, as outlined in paragraph 4 of the report submitted.

Mr MA 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 and circumstances outlined at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that given the explanation provided at the meeting they were satisfied that Mr MA was a fit and proper person to hold a licence, therefore, a private hire driver's licence to Mr MA be granted.

46 Application for Grant of a Private Hire Driver's Licence – Mr SUF

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

Mr SUF was in attendance at the meeting, together with his representative.

Both Mr SUF, together with his representative, explained the circumstances in relation to a road traffic incident whilst licenced with Wolverhampton City Council as outlined in paragraphs 4 to 6 and Appendix 1 of the report submitted and responded to questions asked by the Committee.

Mr SUF 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 SUF to be a fit and proper person in view of the circumstances surrounding the road traffic incident and the fact that no satisfactory explanation could be provided for this, therefore, in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, the application for the grant of a private hire driver's licence to Mr SUF, be refused.

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

47 **Application for Grant of a Private Hire Driver's Licence – Mr AK**

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

Mr AK was in attendance at the meeting and explained the circumstances surrounding the results of his knowledge tests as outlined in paragraph 4 of the report submitted and responded to questions asked by the Committee.

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

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

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 Mr AK was not a fit and proper person in view of the number of failed attempts to complete the knowledge test; that not enough time had passed between the attempts, and that not enough understanding, improvement or progress had been made. Therefore, in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, Mr AK would not be granted permission to undertake a further test and the application for the grant of a private hire driver's licence be refused.

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

48 **Application for Grant of a Private Hire Driver's Licence – Mr BI**

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

Mr BI was in attendance at the meeting and explained the circumstances in relation to the revocation of his licence whilst licenced with Wolverhampton City Council, as outlined in paragraph 3 and Appendix 1 of the report submitted and responded to questions asked by the Committee.

Mr BI 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 and circumstances outlined, the Committee were satisfied that Mr BI was a fit and proper person to hold a licence and that a warning be issued regarding his future conduct.

49 Application for Grant of a Private Hire Driver's Licence – Mr HS

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

Mr HS was in attendance at the meeting together with his representative Mr MN.

Mr MN made representations in support of Mr HS's application and responded to questions asked by the Committee regarding the results of Mr HS knowledge tests as outlined in paragraph 5 of the report submitted.

Mr HS 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, they were satisfied that Mr HS had made sufficient progress from previous knowledge tests, therefore, the request for a further test, be granted.

50 Application for Grant of a Private Hire Driver's Licence – Mr MFK

A report of the Interim Service Director of Environment Directorate was submitted to consider the grant of a private hire driver's licence to Mr MFK.

The Team Manager (Licensing and Waste Enforcement) informed the Committee that Mr MFK had submitted a request for the application to be deferred in order for him to arrange legal representation.

Resolved

That consideration of the application for the grant of a private hire driver's licence to Mr MFK be deferred to a future meeting, in order for Mr MFK to arrange legal representation.

51 Application for Grant of a Private Hire Driver's Licence – Mr SM

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

Mr SM was in attendance at the meeting together with his representative Mr MN.

Mr MN made representations in support of Mr SM's application, and both responded to questions raised by Members in relation to the conviction outlined in paragraph 4 of the report submitted.

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

The Solicitor provided legal advice 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 were satisfied, that Mr SM was a fit and proper person to hold a licence given the explanation provided and the sufficient passage of time since the relevant conviction, therefore, the private hire driver's licence to Mr SM be granted.

52 Application for Grant of a Private Hire Driver's Licence – Mr SH

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

Mr SH was not in attendance at the meeting. The Assistant Team Manager (Licensing and Waste Enforcement) informed the Committee that Mr SH had been provided with sufficient notice and that he had made several attempts to contact Mr SH by telephone.

The Assistant Team Manager further advised that the application for the grant of a private hire driver's licence to Mr SH had been deferred from the meeting held on 1st June, 2023, at his request. The Committee therefore determined that consideration of the application should continue in Mr SH's absence.

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report in detail, in particular referring to Mr SH's conviction as outlined in paragraph 4 of the report submitted.

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, having no evidence to consider from Mr SH and having regard to the Committee's Guidelines and Statutory Guidance, the Committee, in accordance with Section 51 of the Local Government (Miscellaneous) Act 1976, did not consider Mr SH to be a fit and proper person, and therefore the application for the grant of a private hire driver's licence to Mr SH, be refused.

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

The meeting ended 8.40pm

CHAIR