

**Minutes of the meeting of the Taxis Committee
Wednesday 5th 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.

96 Appointment of Substitute Members

No substitutes were appointed for this meeting of the Committee

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.

98 **Minutes**

Resolved

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

99 **Questions Under Council Procedure Rule 11.8**

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

The meeting ended at 7.56pm.

CHAIR