

**Minutes of the Meeting of the Taxis Committee
Monday 15th January, 2024 at 6.00 pm
in Committee Room 2 at the Council House, Dudley**

Present:

Councillor A Hopwood (Chair)
Councillor B Challenor (Vice -Chair)
Councillors D Harley, M Howard, J Martin, C Sullivan and A Taylor

Officers:

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

89 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors M Aston,
K Denning and W Little.

90 **Appointment of Substitute Member**

It was reported that Councillor C Sullivan had been appointed to serve as
a substitute Member for Councillor W Little for this meeting of the
Committee only.

91 **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.

92 **Minutes**

Resolved

That the minutes of the meeting held on 11th December, 2023, be approved as a correct record and signed.

93 **Questions Under Council Procedure Rule 11.8**

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

94 **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.

95 **Review of a Private Hire Driver's Licence – Mr SK**

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 SK.

Mr SK was in attendance at the meeting.

The Assistant Team Manager, Licensing and Waste Enforcement outlined the report, referring to specific witness statements outlined at Appendix 1 of the report submitted to the meeting. At the request of Members, dashcam footage provided to Licensing Officers by the complainant displaying footage of the incident was presented.

Following the presentation, Mr SK confirmed that the content of the report and the footage presented was a true reflection of the incident that had occurred on 4th August, 2023.

Mr SK responded to a series of questions raised by the Committee in relation to the incident which had resulted in police intervention and an interview under police caution resulting in a warning being issued under Section 59 of the Police Reform Act 2002. Whilst Mr SK indicated that he had been running late for a job and the customer had contacted him on numerous occasions to check his estimated time of arrival, he accepted that his behaviour during the incident had been unacceptable and should not have occurred and apologised profusely indicating that it had been a “mistake”. Mr SK accepted full accountability for his behaviour and manner of driving which involved a nervous student whilst participating in a driving lesson. Mr SK indicated that he was an experienced taxi driver, with no previous driving issues and relied on his job to enable him to provide for his family and assured the Committee that he had learned a valuable lesson from the incident, and it would not happen again.

Mr SK then answered further questions in relation to his driving behaviour which the Committee deemed dangerous and could have potentially caused a road traffic accident involving a cyclist and 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.

The Assistant Manager Team Manager, Licensing and Waste Enforcement and Mr SK were requested to re-join the meeting to answer a further question in relation to the circumstances that had resulted in Mr SK having to attend a Taxis Committee when first being issued with a private hire driving licence. Following the response received, all parties again withdrew from the meeting to enable to the Committee to determine the application.

Resolved

That following careful consideration of the information contained in the report submitted, the evidence provided by all parties at the meeting and having regard to the Committee Guidelines and Statutory Standards, the Committee determined that the circumstances surrounding the incident, as outlined in the report submitted, and the potential serious consequences of dangerous driving, amounted to reasonable cause to show Mr SK was not a fit and proper person to hold a licence and therefore, the private hire driver’s licence issued to Mr SK be revoked with immediate effect in the interests of public safety.

Mr SK was informed of his right to appeal the decision of the Committee to the Magistrates' Court.

96 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr RA**

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

Mr RA was in attendance at the meeting together with his son-in-law as a supporter.

The Assistant Team Manager, Licensing and Waste Enforcement outlined the report submitted to the meeting indicating that the review was issued as a result of his DVLA licence being endorsed with eight penalty points.

Mr RA responded in detail to a series of questions asked by the Committee explaining the circumstances surrounding the offence dated 16th June, 2023. Mr RA indicated that whilst he was not working at the time of the incident, an altercation had occurred with another driver on a store car park, which had resulted in the other driver pursuing him, using aggressive hand gestures, flashing his headlights and sounding his horn causing Mr RA to become very distressed and frightened resulting in him disobeying a red light to enable him to drive to a safe location. Mr RA advised the Committee that he had not reported the incident to the police because he did not have information about the driver or the vehicle. Mr RA apologised for his behaviour at the time of the incident and indicated that he was an experienced taxi driver and relied on his job to enable him to provide for his family.

Mr RA then answered further questions in relation to the circumstances of the offence committed on 30th August, 2022 and the complaint received in 2006 concerning the way in which he had transported a disabled passenger. Mr RA then referred to his customer rating on Uber which highlighted a 5-star rating with good customer reviews.

Mr RA then 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 the Private Hire and Hackney Carriage Driver's Licence issued to Mr RA be suspended for a period of one month in view of the nature of his convictions causing his DVLA licence to be endorsed with eight penalty points.

Mr RA was informed of his right to appeal the decision of the Committee to the Magistrates' Court.

During the adjournment, Mr RA advised the Assistant Team Manager, Licensing and Waste Enforcement that a further incident had occurred on an Asda car park in June/July 2023 which the police had been investigating for a possible pedestrian collision with Mr RA's vehicle. Following no response from the police in relation to the incident and advice from the Committee's Solicitor, the Committee determined that the decision remain as above, however, Mr RA was reminded of his responsibility to report any future incidents to the Licensing Office.

97 **Review of a Private Hire Driver's Licence – Mr SL**

At the request of Mr SL, following a conversation with the Assistant Team Manager, Licensing and Waste Enforcement to ascertain non-attendance, and with the agreement of the Committee, this item of business be deferred to a future meeting of the Committee to enable Mr SL to provide the Licensing Office with further information.

The meeting ended at 7.15pm.

CHAIR