

**Minutes of the Meeting of the Taxis Committee
Monday 11th December, 2023 at 6.00 pm
in Committee Room 2 at the Council House, Dudley**

Present:

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

Officers:

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

79 **Apologies for Absence**

There were no apologies for absence for this meeting of the Sub-Committee.

80 **Appointment of Substitute Member**

There were no substitute Members appointed for this meeting of the Sub-Committee.

81 **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.

82 **Minutes**

Resolved

That the minutes of the meeting held on 6th November, 2023, be approved as a correct record and signed.

83 **Questions Under Council Procedure Rule 11.8**

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

84 **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.

85 **Review of a Private Hire Driver's Licence – Mr MS**

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 MS.

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

The Assistant Team Manager, Licensing and Waste Enforcement outlined the report submitted to the meeting and reported that Mr MS's vehicle had been booked in for a vehicle test on 31st July, 2023 which had passed with a number of advisory adjustments.

Both Mr Schiller and Mr MS explained the circumstances following the breach of Section 73 of the Local Government (Miscellaneous Provisions) Act 1976 following the failure to report to appropriate Council premises to carry out an inspection of a vehicle following a request by an authorised officer during a Safety Operation on 7th July, 2023. Mr MS explained the mitigating factors in relation to his failure to follow Police instructions and to contact the service immediately to explain his non-attendance indicating that he had severe stomach issues, arising from Type 2 Diabetes, which he was required to take medication for, that needed addressing immediately. Mr MS apologised for not contacting the Licensing Office immediately, however, he indicated that he was not issued with any contact details and unsure who to contact.

Mr MS further responded to a series of questions asked by the Committee and whilst it was confirmed that he had contacted the Licensing Office between 17th and 19th July, 2023 to arrange a vehicle safety test, it had not been in relation to the incident that occurred on 7th July, 2023. Mr Schiller expressed concern at the significant delay in requesting Mr MS to attend the Licensing Office at Blowers Green Road on 23rd October, 2023 to be interviewed under caution relating to the breach of Section 73 of the Local Government (Miscellaneous Provisions) Act 1976.

Mr MS 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, Mr MS's long history of having an unblemished taxi licence and his understanding of his requirements should a similar incident occur in the future, they were satisfied that Mr MS was a fit and proper person to hold a licence and a strong warning be issued regarding his future conduct.

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

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

87 **Application for Grant of a Private Hire Driver's Licence – Mr AM**

A report of the Interim Service Director of Environment Directorate was submitted to consider the application of the grant of a Private Hire Driver's licence to Mr AM.

Mr AM was in attendance at the meeting and responded to a series of questions asked by the Committee explaining the circumstances surrounding his failure to disclose his previous convictions when applying for a private hire driver's licence which had been outlined on his Enhanced Disclosure and Barring Service Certificate. Whilst he accepted that all driving disqualifications, revocations, endorsements, convictions and cautions should have been disclosed in the correct sections of the form, he indicated that at the time he applied for a private hire driver's licence, he did not fully understand the requirements of completing the form.

Mr AM 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 were satisfied that Mr AM was a fit and proper person to hold a licence given the explanation provided and that sufficient time had lapsed since his previous convictions, therefore, the private hire driver's licence to Mr AM be granted.

88 **Comments by the Chair**

The Chair wished everyone a Merry Christmas and a prosperous New Year.

The meeting ended at 7.44pm.

CHAIR