

Meeting of the Taxis Committee

Monday 4th September, 2023 at 6.00pm
In Committee Room 3 at the Council House, Priory Road,
Dudley, West Midlands, DY1 1HF

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 7th August, 2023, as a correct record (Pages 5 - 9)
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 Driver’s Licence – ZM (Pages 10 - 13)
(The report contains exempt information relating to an individual)
8. Application for Grant of a Private Hire Driver’s Licence – SH (Pages 14 - 16)
(The report contains exempt information relating to an individual)
9. Application for Grant of a Private Hire Driver’s Licence – MA (Pages 17 - 19)
(The report contains exempt information relating to an individual)
10. Application for Grant of a Private Hire Driver’s Licence – SUF
(Pages 20 - 27)
(The report contains exempt information relating to an individual)
11. Application for Grant of a Private Hire Driver’s Licence – AK
(Pages 28 - 36)
(The report contains exempt information relating to an individual)
12. Application for Grant of a Private Hire Driver’s Licence – BI (Pages 37 - 41)
(The report contains exempt information relating to an individual)
13. Application for Grant of a Private Hire Driver’s Licence – HS (Pages 42 - 50)
(The report contains exempt information relating to an individual)
14. Application for Grant of a Private Hire Driver’s Licence – MFK
(Pages 51 - 54) (The report contains exempt information relating to an individual)

15. Application for Grant of a Private Hire Driver's Licence – SM (Pages 55 - 58) (The report contains exempt information relating to an individual)



Chief Executive

Dated: 24th August, 2023

Distribution:

Councillor A Hopwood (Chair)

Councillor B Challenor (Vice-Chair)

Councillors M Aston, K Denning, D Harley, W Little, J Martin, A Taylor and a Vacancy.

Please note the following information when attending meetings:-

Health and Safety

- In view of ongoing health and safety requirements in the workplace, you are asked to comply with any safety instructions applicable to the venue. Various mitigating actions are in place to minimise any risks and to ensure we adhere to the latest guidance.

Toilets

- Toilet facilities are available on site and are subject to safety 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.
- 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

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

If you are reading these documents on an electronic device, you have saved the Council £7.00 (on average) per printed agenda and helped reduce the Council's carbon footprint

**Minutes of the meeting of the Taxis Committee
Monday 7th August, 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, K Denning, D Harley, W Little, J Martin, and A Taylor.

Officers:

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

26 **Apologies for Absence**

No apologies for absence were received for this meeting of the Committee.

27 **Appointment of Substitute Members**

No appointment of substitute Members were appointed for this meeting of the Committee.

28 **Declaration of interest**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matters to be considered at the meeting.

29 **Minutes**

Resolved

That the minutes of the meeting held on 3rd July 2023, be approved as a correct record and signed.

30 **Questions Under Council Procedure Rule 11.8**

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

31 **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.

32 **Application for Grant of Exemptions on a Private Hire Vehicle Licence – Mr IM**

A report of the Acting Service Director – Neighbourhood Delivery was submitted to consider the application for grant of Exemptions on a Private Hire Vehicle Licence to Mr IM

Mr IM was in attendance at the meeting together Ms SB, a Director of the Private Hire Company concerned.

Mr IM confirmed that he agreed with the summary of the case as outlined by the Assistant Team Manager and Mr IM and Ms SB responded to questions raised by Members.

Ms SB confirmed that it would not be detrimental or have a negative impact on the business should the exemption not be granted but requested that the application be considered further, as the exemption was required.

Ms SB confirmed that she was aware that the private hire identity plate would need to be displayed inside the vehicle, should the application be approved.

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 relevant legislation and the Department for Transport Best Practice for Licensing Authority Consultation 2022, the application of Mr IM for the grant of exemptions on the private hire vehicle licence be refused, as there were no exceptional circumstances or sufficient justification to grant the application.

33 Application for Grant of Exemptions on a Private Hire Vehicle Licence – Mr RH

A report of the Acting Service Director – Neighbourhood Delivery was submitted to consider the application for grant of Exemptions on a Private Hire Vehicle Licence to Mr RH

Mr RH was in attendance at the meeting and responded to Members' questions stating that the vehicle in question was a high-end executive chauffeur driven vehicle, and there was no signage on the vehicle.

In relation to the impact on the business should the application be refused Mr RH stated that as part of the executive business that involved transporting passengers who did not wish it to be known that a vehicle was being operating on behalf of the Local Authority. It was a question of discretion and anonymity for the client that he was attempting to attract and should the application not be granted there would be a detrimental impact upon the business.

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 the application for the grant of exemptions on a Private Hire Driver's Licence to Mr RH be approved, as having regard to the relevant legislation and the Department for Transport 2022 Best Practice for Licensing Authority Consultation 2022 there were exceptional circumstances for justification to exempt the vehicle.

34 **Application for Grant of a Private Hire Driver's Licence – Mr AJ**

A report of the Acting Service Director – Neighbourhood Delivery was submitted to consider the application for grant of a Private Hire Driver's Licence to Mr AJ.

Mr AJ was in attendance at the meeting together with his Solicitor Mr AS, who made detailed representations on behalf of his client in relation to the information contained in the report submitted.

An enhanced Disclosure and Barring Service certificate was circulated to Members at the meeting together with references provided on behalf of Mr AJ.

Mr AJ and his Solicitor also responded to Members questions.

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 Mr AJ was a fit and proper person therefore the Private Hire Driver's Licence to Mr AJ be granted.

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

A report of the Acting Service Director – Neighbourhood Delivery was submitted to consider the application for grant of a Private Hire Driver's Licence to Mr SUF.

Mr SUF was not in attendance at the meeting. The Assistant Team Manager informed the Committee that he had received written confirmation that Mr SUF was currently out of the Country and had requested an adjournment of the application.

Following further discussion, it was: -

Resolved

That this item of business be deferred to a future meeting.

36 **Application for Grant of a Private Hire Driver's Licence – Mr ZD**

A report of the Acting Service Director – Neighbourhood Delivery was submitted to consider the application for grant of a Private Hire driver's licence to Mr ZD.

Mr ZD was in attendance at the meeting and responded to Members questions in relation to the circumstances surrounding the offences committed contained in paragraph 6 to the report submitted.

Mr ZD 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.

At this juncture, the Committee reconvened and after a short discussion, all parties returned to the meeting, at which clarification was sought from the Assistant Team Manager in relation to the Totting up procedure referred to at paragraph 4 of the report submitted.

All parties then 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 ZD was not a fit and proper person to hold a licence considering the number of strong written warnings as to future conduct that Mr ZD had received.

Mr ZD was advised of his right to appeal the decision.

The meeting ended at 7.45pm

CHAIR