

**Minutes of the Meeting of the Taxis Committee
Thursday 30th May 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 A Ahmed, M Cook, J Cowell, L Hamblett, D Harley, A Taylor and J Thorne.

Officers:

S Smith (Team Manager - Licensing and Waste Enforcement),
S Ahmed-Aziz (Solicitor) and H Mills (Senior Democratic Services Officer)

1 Comments by the Chair

This being the first meeting of the municipal year, the Chair welcomed everyone to the meeting and those present introduced themselves.

2 Apologies for Absence

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

3 Appointment of Substitute Member

There were no substitutes appointed to serve for this meeting of the Committee.

4 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.

5 **Minutes**

Resolved

That the minutes of the meeting held on 22nd April 2024, be approved as a correct record, and signed.

6 **Questions Under Council Procedure Rule 11.8**

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

7 **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.

8 **Application for the Grant of a Private Hire Driver's Licence – Mr HI**

A report of the Director of Environment was submitted to consider the application for the grant of a Private Hire Driver's Licence to Mr HI.

Mr HI was in attendance at the meeting.

Following the welcome and introductions by the Chair, the Team Manager - Licensing and Waste Enforcement presented the report in detail. Mr HI confirmed that the report was a fair summary, however he provided evidence in the form of an email to prove that no charges had been pursued by West Midlands Police in relation to the allegations referred to in the additional information provided as part of Mr HI's Disclosure and Barring Service report.

Mr HI continued to present his case, explaining the circumstances surrounding the allegations, together with his current living arrangements and health conditions.

Mr HI responded to questions raised by the Committee, and the Team Manager - Licensing and Waste Enforcement confirmed that Mr HI had undertaken a full medical in April 2023, and had been signed fit by a medical practitioner with a further medical required in three years.

At the request of the Chair, Mr HI confirmed that there were no further matters pending that needed to be brought to the Committee's attention, following which, the Committee's Solicitor provided a legal summary in relation to the case.

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, in particular Statutory Standard 5.4, the Committee determined that whilst no criminal convictions had been issued, due to the serious nature of the allegations, the Committee were not convinced Mr HI was a fit and proper person, therefore the application to grant a Private Hire Driver's licence to Mr HI be refused.

Mr HI was informed of his right to appeal the decision of the Committee to the Magistrate's Court.

9 **Application for the Grant of a Private Hire Driver's Licence – Mr NA**

A report of the Director of Environment was submitted to consider the application for the grant of a Private Hire Driver's Licence to Mr NA.

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

Following the welcome and introductions by the Chair, the Team Manager - Licensing and Waste Enforcement presented the report in detail. Mr NA confirmed that the report was a fair summary of the case, and Mr Saeed explained the circumstances surrounding the convictions highlighted on Mr NA's Disclosure and Barring Service report and the reasons as to why these had not been disclosed at the time of submitting his application.

Mr NA responded to questions of the Committee 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 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 NA was a fit and proper person to hold a licence given the explanation provided, therefore, subject to Mr NA undertaking a drugs test, at his own expense, and providing a negative result, a private hire driver's licence, be granted.

10 **Application for the Grant of a Private Hire Driver's Licence – Mr UDK**

A report of the Director of Environment was submitted to consider the application for the grant of a Private Hire Driver's Licence to Mr UDK.

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

The Team Manager - Licensing and Waste Enforcement presented the report in detail, following which Mr Saeed on behalf of the applicant presented the circumstances surrounding the failure to disclose on his application that he had previously held a private hire drivers' licence with a neighbouring authority, which had subsequently been revoked.

Following the opportunity to sum up the case and Mr UDK confirming 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.

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 were satisfied that Mr UDK was a fit and proper person to hold a licence given the explanation provided, therefore, the private hire driver's licence application for Mr UDK, be granted.

11 **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.

12 **Review of a Private Hire Driver's Licence – Mr MA**

A report of the Director of Environment was submitted to consider the review of a Private Hire Driver's licence issued to Mr MA.

Mr MA was in attendance at the meeting.

Following the presentation of the report, Mr MA confirmed that a fair summary of the case had been presented and continued to explain the circumstances surrounding the conviction which had been declared within the required 7-day period.

Mr MA confirmed that there were no further matters pending that needed to be brought to the Committee's attention, following which the Committee's Solicitor provided a legal summary in relation the case.

All parties then 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(2A) of the Local Government (Miscellaneous) Act 1976, the Private Hire Driver's Licence issued to Mr MA be suspended for a period of one month.

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

13 **Application for the Grant of a Private Hire Driver's Licence – Mr MH**

A report of the Director of Environment was submitted to consider the application for the grant of a Private Hire Driver's Licence to Mr MH.

Mr MH was in attendance at the meeting.

The Team Manager - Licensing and Waste Enforcement presented the report in detail, following which Mr MH confirmed that the report was a fair summary of the case.

Mr MH explained the circumstances surrounding the convictions which were outlined on the Disclosure and Barring Service report and disclosed by Mr MH on his application submitted.

Mr MH confirmed that there were no further matters pending that needed to be brought to the Committee's attention and the Committee's Solicitor provided a legal summary in relation the case.

All parties then withdrew from the meeting to allow the Committee the opportunity 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 MH was a fit and proper person to hold a licence given the explanation provided, therefore, the private hire driver's licence application for Mr MH, be granted.

14 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr LA**

A report of the Director of Environment was submitted to consider the review of the Private Hire Driver's Licence issued to Mr LA.

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

The Team Manager - Licensing and Waste Enforcement presented the report in detail, following which Mr IS on behalf of the applicant confirmed that the report was a fair summary of the case and advised that Mr LA was extremely remorseful for failing to declare the points endorsed on his DVLA licence within the required 7 days, which had resulted in a breach of Condition 12 on his Private Hire Driver's Licence.

Mr IS continued to explain the circumstances surrounding the conviction and for the failure to disclose within the required period.

Mr LA confirmed that there were no further matters pending that needed to be brought to the committee's attention, following which the Committee's Solicitor provided a legal summary in relation to the case.

All parties then withdrew from the meeting to allow the Committee opportunity 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 LA was a fit and proper person to hold a licence given the explanation provided, therefore, a strong written warning be issued to Mr LA regarding his future conduct.

The meeting ended at 8.05pm.

CHAIR