

**Minutes of the Meeting of the Taxis Committee
Thursday 12th January 2023 at 6.00 pm
in Committee Room 4 at the Council House, Dudley**

Present:

Councillor A Hopwood (Chair)
Councillor B Challenor (Vice-Chair)
Councillors M Aston, R Body, P Lee, J Martin and W Sullivan.

Officers:

S Smith - Team Manager (Licensing and Waste Enforcement), N Slym – Assistant Team Manager (Licensing and Waste Enforcement) (Directorate of Public Realm), S Ahmed-Aziz, (Solicitor) and L Jury (Democratic Services Officer)

70 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors D Harley and A Lees.

71 **Appointment of Substitute Members**

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

72 **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.

73 **Minutes**

Resolved

That the minutes of the meeting held on 8th December, 2022, be approved as a correct record and signed.

74 **Questions Under Council Procedure Rule 11.8**

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

75 **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.

76 **Application for Review of a Private Hire Driver's Licence – Mr ID**

A report of the Interim Director of Public Realm was submitted to consider the review of the private hire driver's licence issued to Mr ID.

Mr ID was in attendance at the meeting and explained the circumstances surrounding the endorsements on 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 ID confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Solicitor provided legal advice 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 as the offences were minor traffic offences, and that as Mr ID had not been carrying passengers when the offences were committed, the Committee were satisfied that Mr ID was a fit and proper person to hold a licence, therefore the Private Hire Driver's Licence be granted and a warning be issued regarding his future conduct.

77 Application for Grant of a Private Hire Driver's Licence – Mr AS

A report of the Interim Director of Public Realm was submitted to consider the grant of a private hire driver's licence to Mr AS.

Mr AS was not in attendance at the meeting and the Team Manager (Licensing and Waste Enforcement) explained that Mr AS had requested that his application be deferred in order for him to arrange Legal Representation.

Resolved

That consideration of the application for the grant of a Private Hire Driver's Licence to Mr AS be deferred to the next meeting, in order for Mr AS to arrange Legal Representation.

78 Application for Grant of a Private Hire Driver's Licence – Mr NKJ

A report of the Interim Director of Public Realm was submitted to consider the application for the grant of a private hire driver's licence to Mr NKJ.

Mr NKJ was in attendance at the meeting together with his representative Mr MN.

Mr MN made representations in support of Mr NKJ's application, and both responded to questions raised by Members in relation to the conviction outlined in paragraph 4 of the report submitted.

Mr NKJ confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Solicitor provided legal advice 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 they did not consider Mr NKJ to be a fit and proper person and not enough time had lapsed since his conviction, therefore the application to grant a Private Hire Driver's Licence to Mr NKJ, be refused.

Mr NKJ was informed of his right to appeal the decision.

79 **Application for Grant of a Private Hire Driver's Licence – Mr SMC**

A report of the Interim Director of Public Realm was submitted to consider the application for the grant of a private hire driver's licence to Mr SMC.

Mr SMC was in attendance at the meeting together with his representative, Mr MN.

Mr MN made representations in support of Mr SMC's application, and both responded to questions raised by Members in relation to Mr SMC's previous convictions as outlined in paragraph 4 of the report submitted.

Mr SMC confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Solicitor provided legal advice 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 there had been sufficient passage of time since the last and recent conviction, and together with the fact that no physical violence had taken place, which the Committee found sufficiently compelling to enable them to depart from the Standards, the Committee therefore, were satisfied that Mr SMC was a fit and proper person to hold a licence and a Private Hire Driver's License be granted.

80 **Application for Grant of a Private Hire Driver's Licence – Mr SM**

A report of the Interim Director of Public Realm was submitted to consider the application for the grant of a private hire driver's licence to Mr SM.

Mr SM was in attendance at the meeting together with his daughter.

Both Mr SM and his daughter made representations in support of Mr SM's application and responded to questions asked regarding the results of Mr SM's knowledge tests as outlined in paragraph 4 of the report submitted.

Mr SM confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

The Solicitor provided legal advice 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 SM was not a fit and proper person as not enough time had passed between each test attempt and not enough progress had been made, therefore, Mr SM would not be allowed to attempt another knowledge test until sufficient time had passed and Mr SM could be confident that better progress would be made.

81 **Application for Review of a Private Hire Driver's Licence – Mr SH**

A report of the Interim Director of Public Realm was submitted to consider the application for a review of the private hire driver's licence issued to Mr SH. The Chair was of the opinion that this item of business should be considered as a matter of urgency, pursuant to Section 100B(4)(b) of the Local Government Act 1972, in view of information received from the West Midlands Police.

Mr SH was not in attendance at the meeting, however, the Team Manager (Licensing and Waste Enforcement), advised that he had been informed that Mr SH would not be attending the meeting to make representations. Due to the circumstances surrounding the case, the Committee agreed to consider the application in the absence of Mr SH.

The Assistant Team Manager presented the report outlining the information submitted by West Midlands Police with regard to Mr SH's recent offences.

The Solicitor provided legal advice in relation to the case and it was,

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 circumstances surrounding Mr SH's recent arrest and charges for serious criminal offences, as outlined in the report, amounted to reasonable cause to show he was no longer a fit and proper person to hold a licence and therefore, the private hire driver's licence issued to Mr SH be revoked with immediate effect in the interests of public safety.

Mr SH be informed of his right to appeal the decision of the Committee.

The meeting ended at 7.30pm.

CHAIR