

**Minutes of the Meeting of the Taxis Committee
Thursday 28th May, 2020 at 10.00 am
Microsoft Teams Meeting**

Present:

Councillor A Hopwood (Chair)
Councillors H Bills, B Challenor, J Cowell and C Neale

Officers:-

H Marsh-Geyton – Head of Fleet and Waste Care, S Smith – Team Manager (Licensing and Waste Enforcement) (Directorate of Public Realm); S Wright - Solicitor and K Taylor - Democratic Services Officer (Directorate of Finance and Legal)

1 **Apologies for absence**

Apologies for absence from the meeting were submitted on behalf of Councillors A Aston, R Body, K Lewis and E Lawrence.

2 **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

3 **Minutes**

Resolved

That the minutes of the meeting held on 12th March, 2020, be approved as a correct record and signed.

4 **Exclusion of the Public**

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 any individual(s) as defined under Part I of Schedule 12A to the Local Government Act 1972, as amended.

5 Application for Grant of a Private Hire Driver's Licence – Mr TH

A report of the Director of Public Realm was submitted to consider an application on behalf of Mr TH for the grant of a private hire driver's licence.

Mr TH was in attendance at the meeting together with his representative, Mr MN, and responded to questions asked by the Committee in relation to the circumstances surrounding the offences as set out in the report. Whilst acknowledging the seriousness and number of offences committed, Mr MN reported that these had occurred when Mr TH was of a young age, without commitments, and that Mr TH regretted his actions. He referred to Mr TH's reformed character, in that there had been no further offences since 2014 and was considered a fit and proper person, by the Traffic Commissioner, to be granted a coach licence to transport a large number of passengers.

Following further discussion, Mr TH advised the Committee that there were no matters pending that needed to be brought to the Committee's attention, and that he would be willing to undertake a drugs test should the Committee deem it necessary.

Following a legal summary by the Solicitor, Mr TH was informed that the decision by the Committee would be communicated to him by telephone and a letter outlining the decision made would be posted within fourteen days. All parties then withdrew from the meeting to enable the Committee to determine the application.

Resolved

- (1) That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, Mr TH be requested to undertake a drug test, and subject to a satisfactory result, a private hire driver's licence be granted to Mr TH for an initial period of three months.
- (2) That, subject to no offences pending at the time of renewal, officers be authorised to approve the grant of further licences for six months and subsequently for a period of twelve months.

6 Application for Grant of a Private Hire Driver's Licence – Mr MSM

A report of the Director of Public Realm was submitted to consider an application on behalf of Mr MSM for the grant of a private hire driver's licence.



A copy of the minutes of the Licensing Sub-Committee meeting held at Sandwell MBC on 10th June, 2019, as referenced in paragraph 5 of the report submitted, were circulated to all parties prior to the meeting.

Mr MSM was in attendance at the meeting together with his Solicitor, Mr AS, and responded to questions asked by the Committee in relation to the circumstances surrounding the revocation of his private hire driver's licence issued by Sandwell MBC following the receipt of a complaint.

Mr AS, on behalf of his client, provided a detailed summary of the case and indicated that there were a number of discrepancies in the original complaint made to verify that the driver referred to by the passenger was Mr MSM, in particular that the complainant had referred to the driver by his forename. However there were a number of drivers with the same first name registered at the taxi base, and that the call log identified that Mr MSM had collected the complainant on only three occasions.

Mr AS stated that Mr MSM had been issued with a private hire driver's licence for nine years with no complaints or issues and that a Police investigation was not pursued due to insufficient evidence and information by the complainant. It was also noted that there were no objections submitted by responsible authorities to the application today.

In responding to questions asked by the Committee, Mr AS confirmed that Mr MSM had appealed the decision of Sandwell MBC however, to date, a hearing had not been scheduled owing to the current restrictions imposed due to the pandemic.

Following further discussion, Mr MSM advised the Committee that there were no matters pending that needed to be brought to the Committee's attention.

Following a legal summary by the Solicitor, Mr MSM was informed that the decision by the Committee would be communicated to him by telephone and a letter outlining the decision made would be posted within fourteen days. 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, and as reported at the meeting, a private hire driver's licence be granted to Mr MSM for a period of twelve months.

7 Review of a Private Hire Driver's Licence – Mr AG

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



Mr AG was in attendance at the meeting together with his representative, Mr OG, and responded to questions asked by the Committee in relation to the circumstances surrounding the offence and failure to report the conviction within the required seven day period, and subsequently declare the conviction on the application for the renewal of his private hire driver's licence, as set out in the report. Mr OG referred to Mr AG's confusion surrounding the reporting of the offence as he had assumed that the Police, having been present at the time, would have informed the Local Authority.

Following further discussion, Mr AG advised the Committee that there were no matters pending that needed to be brought to the Committee's attention.

Following a legal summary by the Solicitor, Mr AG was informed that the decision by the Committee would be communicated to him by telephone and a letter outlining the decision made would be posted within fourteen days. 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, and as reported at the meeting, in pursuance of Section 61(1) (b) of the Local Government (Miscellaneous Provisions) Act 1976, the private hire drivers licences issued to Mr AG be suspended for a period of one month, in light of his conduct amounting to reasonable cause to evidence that he was not considered a fit and proper person to hold a licence.

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

The meeting ended at 12.38pm

CHAIR