

Meeting of the Taxis Committee

Thursday 28th May, 2020 at 10.00am
Microsoft Teams Meeting

Agenda

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 12th March, 2020 as a correct record.](#)
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).

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.

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.”

7. [Application for Grant of a Private Hire Driver's Licence – Mr TH \(Pages 1-4\) \(the report contains exempt information relating to an individual\) \(10.15 – 11.00\)](#)



8. Application for Grant of a Private Hire Driver's Licence – Mr MSM (Pages 5-7) (the report contains exempt information relating to an individual) (11.00 – 11.45)
9. Review of a Private Hire Driver's Licence – Mr AG (Pages 8-12) (the report contains exempt information relating to an individual) (11.45 – 12.30)



Chief Executive

Dated: 19th May, 2020

Distribution:

Councillor A Hopwood (Chair)

Councillor K Lewis (Vice-Chair)

Councillors A Aston, H Bills, B Challenor, R Body, J Cowell, E Lawrence and C Neale



Please note the following:

- This meeting will be held virtually by using Microsoft Teams.
- This is a formal Council Committee and it will assist the conduct of business if participants speak only when invited by the Chair.
- The Chair reserves the right to adjourn the meeting, as necessary, if there is any disruption or technical issues.
- All participants should mute their microphones and video feed when they are not speaking.
- Please remember to unmute your microphone and switch on your video feed when it is your turn to speak. Speak clearly and slowly into your microphone.
- View the [Democratic Services Privacy Notice](#) and much more information about the Council on our website www.dudley.gov.uk
- 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 securely disposed of. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.
- Elected Members can submit apologies by contacting Democratic Services: Telephone 01384 815238 or E-mail Democratic.Services@dudley.gov.uk



**Minutes of the Meeting of the Taxis Committee
Thursday 12th March, 2020 at 6.00 pm
In Committee Room 2, the Council House, Dudley**

Present:

Councillor A Hopwood (Chair)
Councillor K Lewis (Vice-Chair)
Councillors A Aston, R Body, B Challenor, J Cowell, E Lawrence and C Perks

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 L Jury - Democratic Services Officer (Directorate of Finance and Legal)

61 **Apologies for absence**

Apologies for absence from the meeting were submitted on behalf of Councillors H Bills and C Neale.

62 **Appointment of Substitute Member**

It was noted that Councillor C Perks had been appointed as a substitute member for Councillor H Bills for this meeting of the Committee only.

63 **Declarations of Interest**

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

64 **Minutes**

Resolved

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

65 **Review of Private Hire Driver's Licence – Mr AR**

The Team Manager (Licensing and Enforcement) advised that the applicant was unable to attend the meeting to present his case as he was out of the country and due to the nature of the case, it was requested that consideration of the application be deferred to a future meeting.

Resolved

That the application for review of the private hire driver's licence issued to Mr AR, be deferred to a future meeting of the Committee.

66 **Review of a Private Hire and Hackney Carriage Driver's Licence – Mr SZ**

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

Mr SZ was in attendance at the meeting together with an Enforcement Officer and the complainant, Mr JA.

Prior to the presentation of the report, the Team Manager (Licensing and Enforcement) advised the Committee that Mr SZ had now applied to renew his private hire driver's licence only and that his hackney carriage driver's licence had expired. The circumstances relating to his current penalty points on his DVLA licence were noted.

The complainant gave a detailed account of the incident that had occurred on 5th June, 2019, as set out in the report, and responded to questions by the Committee.

Mr SZ presented his case and responded to questions by the Committee.

Arising from the presentation, the Head of Fleet and Waste Care commented on the increase in the number of cases that were being reported of this nature. Reference was made to a national campaign, Driving Recklessly on Pavements (DROPs), being undertaken in conjunction with the Police to protect employees.

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

Resolved

That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the Committee were of the view that, on the balance of probabilities, the incident did take place as described by the complainant, therefore, the application to renew a Private Hire Driver's Licence issued to Mr SZ, be refused, that is that the conduct of the driver amounted to reasonable cause to show that he was not a fit and proper person to hold a licence.

Mr SZ was informed of his right to appeal the decision of the Committee.

At this juncture, Councillor K Lewis (Vice-Chair) joined the meeting.

67 **Application for Grant of a Private Hire Driver's Licence and Review of a Hackney Carriage Driver's Licence – Mr MS**

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

Mr MS was in attendance at the meeting and responded to questions asked by the Committee in relation to the circumstances surrounding the offence as set out in the report. Whilst Mr MS acknowledged the motoring convictions, he stated that he believed that he was not a dangerous driver and the safety of his passengers was paramount at all times. As the Licensing Authority already held details of his licence, he did not think that he needed to declare his convictions again.

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

Resolved

- (1) That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the application for the grant of a private hire driver's licence be refused, in light of the offences committed, as outlined in the report submitted, as Mr MS was not considered to be a fit and proper person.
- (2) That, following careful consideration of the information contained in the report submitted, and as reported at the meeting, the Hackney Carriage Driver's Licence issued to Mr MS be suspended for a period of three months, in light of the offences committed, as outlined in the report submitted.

Mr MS was advised of his right to appeal the decision of the Committee

68 **Application for Grant of a Private Hire Driver's Licence – Mr RA**



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

Mr RA was in attendance at the meeting, together with his representative Mr Schiller.

Mr Schiller made representations on behalf of Mr RA advising the Committee that this case had previously been presented to the previous Taxis Committee and Members had agreed to defer the application to enable Officers to obtain further information.

The Team Manager (Licensing and Waste Enforcement), presented the information, in relation to a witness statement, to the Committee.

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

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 issued to Mr RA for a period of twelve months.

69 **Application for Grant of Private Hire Driver's Licence – Mr TM**

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

Mr TM was in attendance at the meeting together with his interpreter Mr Hussain and responded to questions asked by the Committee.

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

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 issued to Mr TM for a period of twelve months.

70 **Application for Grant of Exemptions on Private Hire Vehicle Licence – Mr PM**

The Team Manager (Licensing and Enforcement) advised that the applicant was unable to attend the meeting to present his case and he had requested that consideration of the application be deferred to a future meeting.

Following a brief discussion, the Chair reported that the Committee were in agreement that the matter be heard in Mr PM's absence. The Team Manager (Licensing and Waste Enforcement) then presented the report to the Committee.

Resolved

That, following careful consideration of the information contained in the report submitted and as reported at the meeting, subject to an identification plate to be fixed in a prominent position inside of the vehicle at all times whilst in operation, an exemption on the Private Hire Vehicle Licence issued to Mr PM operated under the operator's licence for Millard Travel, be approved.

The meeting ended at 8.00pm

CHAIR

