

**Minutes of the Meeting of the Taxis Committee
Thursday 13th October, 2022 at 6.00 pm
in Committee Room 2 at the Council House, Dudley**

Present:

Councillor A Hopwood (Chair)
Councillor B Challenor (Vice-Chair)
Councillors M Aston, D Harley, P Lee, A Lees and D Stanley.

Officers:

N Slym – Assistant Team Manager (Licensing and Waste Enforcement) (Directorate of Public Realm), T Holder (Solicitor) and K Griffiths (Democratic Services Officer) (Directorate of Finance and Legal)

Also in attendance:

S Ahmed-Aziz (Solicitor) (Directorate of Finance and Legal) - Observer

41 **Apologies for absence**

Apologies for absence from the meeting were submitted on behalf of Councillors R Body and J Martin.

42 **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.

43 **Minutes**

Resolved

That the minutes of the meeting held on 14th September, 2022, be approved as a correct record and signed.

44 **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.

45 **Review of a Private Hire Driver's Licence – Mr MKG**

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 MKG.

Mr MKG was in attendance at the meeting

The Assistant Team Manager (Licensing and Waste Enforcement) presented the report and indicated that the requirements to declare driving offences had been updated and taxi drivers were now required to report any driving offences either in the United Kingdom or abroad to the Local Authority within the specified timeframe. Whilst MKG had previous offences, as outlined in the report submitted, the offences had taken place in another Country in 2015 and Mr MKG had not been required to declare the offences to the Licensing Office at that time.

Mr MKG explained the circumstances surrounding the two speeding offences committed on the same day and indicated that he was unaware that he was required to declare the offences to the Licensing Office. Having acknowledged that he had breached condition 12 of his private hire driver's licence, he apologised for his omission and assured the Committee that it would not occur again.

Mr MKG responded to all questions raised by the Committee and confirmed that there were no further matters pending either in the United

Kingdom or abroad that needed to be brought to the Committee's attention.

Following the opportunity to sum-up, the 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 Guidance, the Committee determined that although Mr MKG had been in breach of condition 12 of his private hire driver's Licence, he was deemed to be a fit and proper person to hold a licence in the Borough and a strong written warning be issued regarding his future conduct.

46 Grant of a Private Hire Driver's Licence – Mr SI

A report of the Interim Director of Public Realm was submitted to consider the application received on behalf on Mr SI for the grant of a Private Hire Driver's licence.

Mr SI was in attendance at the meeting, together with a supporter, Mr Nasar.

During the presentation of the report, the Assistant Team Manager referred to a previous complaint received against Mr SI regarding his conduct whilst undertaking duties as a private hire driver. The matter had been considered by the Taxis Committee on the 14th February, 2018 where the Committee resolved to revoke Mr SI's private hire driver's licence.

Following the presentation of the report, Mr SI, together with Mr Nasar outlined the circumstances of the case. The Committee were advised that following the decision of the Committee on 14th February, 20218, the complainant had exaggerated the circumstances of the incident and Mr SI denied using any inappropriate sexual language. Whilst admitting having a conversation with the complainant, he was unable to confirm the exact language used despite being asked numerous times by the Committee. The Committee expressed concern that Mr SI was unable to understand the nature of the question being asked despite Mr Nasar translating it to him in his home language. Mr Nasar indicated that Mr SI struggled at times with the English language and accepted that he could have used "wrong words" during the conversation.

The Committee were advised that following the decision of the Committee, Mr SI's case had been considered by the Magistrates and Crown Courts where it was determined that the allegations made against Mr SI were considered accurate. Mr Nasar indicated that, prior to Mr SI's private hire driver's licence being revoked, he had held a licence with the Local Authority since 2010 with no previous convictions or complaints received against him and he would like the opportunity to prove that he is a fit and proper person to hold a private hire driver's licence in the Borough. Mr Nasar indicated that Mr SI had accepted the sanction and considered that sufficient time had elapsed since the complaint was made and urged the Committee to consider granting Mr SI a licence as he had now matured and had a wife and children to provide for.

Mr SI and Mr Nasar responded to all questions raised by the Committee and it was confirmed that there were no further matters pending that needed to be brought to the Committee's attention.

Following the opportunity to sum-up, the Solicitor to the Committee then provided a legal summary in relation to the case. Mr Nasar and Mr SI indicated that they had been provided with the opportunity to state all information in relation to the case and agreed with the Solicitor's summary.

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 Guidance, the application for grant of a Private Hire Driver's Licence in respect of Mr SI, be refused, as the Committee was not satisfied that the applicant was a fit and proper person to be granted a private hire driver's licence, due to the seriousness of the complaint received, as referred to at the meeting, and his inability to understand and answer specific questions asked by the Committee.

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

The meeting ended at 6.55pm.

CHAIR

TA/25