

# Minutes of Licensing Sub Committee 1

**Monday 21 August 2023 at 10.00am  
At Sandwell Council House, Oldbury**

**Present:** Councillor J Giles (Chair);  
Councillors Loan, N Singh and Tromans.

**Officers:** Usha Devi (Senior Licensing Officer);  
David Elliott (Legal Advisor);  
Toby Howes (Interim Democratic Services Officer);

**38/23 Apology for Absence**

There were no apologies for absence.

**39/23 Declarations of Interest**

There were no declarations of interest.

**40/23 Exclusion of the Public and Press**

**Resolved** that the public and press be excluded from the rest of the meeting. This is to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006 relating to any individual.



41/23

### **Application for the review of a Private Hire Driver's Licence in respect of Mr M B**

Members considered the review of a Private Hire Driver's Licence in respect of Mr M B.

Mr M B was not in attendance and was represented by his legal representative. He had previously appeared before the Licensing Sub Committee on one occasion previously.

The Sub Committee was advised that Mr M B had voluntarily returned his badge to the taxi Licensing Office.

Members acknowledged that Mr M B was not currently working as a licenced driver for Sandwell Council.

The Sub Committee took advice from its legal advisor before adjourning to make a decision on the application.

The Sub Committee had taken into consideration representations made by all parties.

Members were minded to take no further action at this stage as Mr M B was currently not driving for Sandwell Council.

**Resolved** that no further action be taken with regards to the Dual Private Hire Driver's Licence in respect of Mr M B.

In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

42/24

### **Application for the Grant of a new Private Hire Driver's Licence in respect of Mr A T**

Members considered the application for a Private Hire Driver's Licence in respect of Mr A T.



Mr A T was in attendance and had not previously appeared before a Licensing Sub Committee.

The Sub Committee was advised that, as part of the application process, if an applicant had lived outside the UK for a period of time they must provide proof of any foreign criminal history by providing a Certificate of Good Conduct from the originating country.

Mr A T had arrived in the UK as a refugee and was therefore unable to provide this information. However a statutory declaration were provided to the Sub Committee in support of the application, along with a DBS for the period of time Mr A T had been in the UK.

The Sub Committee took advice from its legal advisor before adjourning to make a decision on the application.

The Sub Committee had taken into consideration representations made by all parties.

Members were satisfied that Mr A T was a fit and proper person to hold a licence and were minded to grant the application.

**Resolved** that the Private Hire Driver's Licence in respect of Mr A T be granted.

In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

43/23

### **Application for the Private Hire Driver's Licence in respect of Mr I K**

The Sub Committee was advised that Mr I K was unable to attend the Licensing Sub Committee.

Members were minded to defer consideration of the matter to a future meeting.



**Resolved** that consideration of the application of Private Hire Driver's Licence in respect of Mr I K be deferred to a future meeting.

44/23

**Application for review of the Private Hire Driver's Licence in respect of Mr F R**

Members considered the review of a Private Hire Driver's Licence in respect of Mr F R.

Mr F R was not in attendance and was represented by his legal representative. He had previously appeared before the Licensing Sub Committee on one occasion previously.

The Sub Committee was advised that Mr F R had historic convictions which had not been correctly declared as part of the application.

Mr F R's legal representative explained that the convictions were related to food hygiene and there not related to taxi licensing matters.

In addition, it was acknowledged that the convictions were historic in nature and had been declared as part of this application, however these not been identified clearly.

The Sub Committee took advice from its legal advisor before adjourning to make a decision on the application.

The Sub Committee had taken into consideration representations made by all parties.

Members were satisfied that Mr F R was a fit and proper person to hold a licence and were minded to grant the application. It was acknowledged that the conviction had been declared, although not correctly and the mistake was a genuine oversight of Mr F R.

**Resolved** that Mr F R be issued with a warning as to future conduct.



In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

Meeting ended at 3.20pm.

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