

Regulatory Sub-Committee

Minutes - 23 October 2023

Attendance

Members of the Regulatory Sub-Committee

Cllr Zee Russell (Chair)
Cllr Jonathan Crofts
Cllr Rashpal Kaur

Employees

Greg Bickerdike	Licensing Manager
Lorraine Jones	Service Lead – Licensing (observing)
Balvinder Meetca	Section Leader – Licensing (observing)
Ronald Sempebwa	Solicitor
Donna Cope	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for Absence**
There were no apologies for absence.
- 2 Declarations of interest**
There were no declarations of interest.
- 3 Exclusion of press and public**
Resolved:
That, in accordance with section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 1 of Schedule 12A to the Act relating to any individual.

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Application for a Private Hire Vehicle Operator's Licence

The Chair invited Greg Bickerdike (Licensing Manager), Lorraine Jones, (Service Lead Licensing), Balvinder Meetca, (Section Leader Licensing), and the Applicant (UM) into the Hearing. UM was accompanied by three colleagues, KN, GM and MB. The Chair led round-table introductions and outlined the procedure to be followed.

Greg Bickerdike, Licensing Manager, outlined the report regarding an application for a Private Hire Vehicle Operator's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether UM was a fit and proper person to hold a Private Hire Vehicle Operator's Licence due to the information outlined in the report.

All parties were invited to question the Licensing Manager on the report.

The Applicant (UM) confirmed that the summary was accurate and explained how the licence breach had occurred. He assured members that measures had now been put in place and it would never happen again.

The Licensing Manager responded to questions asked and confirmed that the Applicant had stopped trading as soon as they became aware of the breach. He accepted that the breach of licence had not been deliberate and acknowledged that measures were now in place to stop it happening again.

Ronald Sempebwa, Solicitor for the City of Wolverhampton Council, asked the Applicant to clarify exactly what had happened, who was responsible for the business, and what measures were now in place to prevent it happening again. UM elaborated further on how the breaches had occurred and provided supporting documents for the Sub-Committee to consider.

All parties agreed to adjourn the hearing to allow the Sub-Committee the opportunity to view the supporting documents submitted by the Applicant.

The Sub-Committee adjourned at 14.35 hours.

The Hearing reconvened at 14.53 hours.

The Chair invited the Applicant to make representations. MB outlined the structure of the company and explained what measures had been implemented to prevent the incident from happening again.

All parties were invited to question the Applicant on his submission.

KN and MB responded to questions asked.

The Chair invited the Applicant to make a final statement. KN did so. He acknowledged the seriousness of what had happened and assured members that it would never happen again.

The Licensing Manager, Service Lead, Section Leader, UM, KN, GM and MB left the meeting to allow the Sub-Committee to determine the matter.

All parties were invited back into the meeting and the decision of the Sub-Committee was outlined by the Solicitor.

Resolved:

That having considered all the evidence both written and oral, provided at the hearing, the Regulatory Sub-Committee determined not to make a decision at that stage, but deferred the decision to the Licensing Manager to arrange an audit of the Applicant's office. The licence would only be granted if the Council was satisfied that appropriate measures and necessary systems were in place to prevent such a situation arising in the future.

Should the Licensing Manager be satisfied following their checks, the Regulatory Sub-Committee delegated the power to grant the application to the Licensing Manager with the condition that the licence be subject to a review by a manager within the first six months for the period of the licence, that being 12 months.

If the Licensing Manager was not satisfied that the necessary systems were in place, the applicant would be required to attend before the Regulatory Sub-Committee for further consideration of the application.

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