

LICENSING AND REGULATORY SUB-COMMITTEE

WEDNESDAY, 28 JANUARY 2026

Present:

Councillors Gearon, Hayes (Chair) and Peart

Officers in Attendance:

Solicitor

Legal Assistant

251. APOLOGIES

None.

252. DECLARATIONS OF INTEREST (IF ANY)

None.

253. MINUTES

It was proposed by Cllr Peart and Seconded by Cllr Gearon and:

RESOLVED: Unanimously that the Minutes of the meetings held on 20 November 2025 and 18 December 2025 be approved as a correct record and signed by the Chair.

254. REQUEST FOR NEW PRIVATE HIRE VEHICLE CHRYSLER 300C - LM04 WOW

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in April 2026, with no advisories. The vehicle had also passed its annual taxi inspection test in January 2026. The Applicant was unable to be in attendance and did not send a representative.

The Sub-Committee commented that the vehicle appeared to be kept in a good and sound condition and noted that although the age of the vehicle was now above the Council's policy it is a specialist vehicle and as such should be considered on an individual basis.

The Sub-Committee noted the low mileage and were satisfied that the vehicle appeared to be in an extremely good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee granted the new Private Hire Vehicle Licence as detailed in the report with the condition that the vehicle undergoes a six-month vehicle test to monitor the condition of the vehicle due to its age and to comply with the Council's Hackney Carriage and Private Hire Licensing Policy.

255. REQUEST FOR PRIVATE HIRE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - CHRYSLER 300C

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in January 2027, with no advisories. The vehicle had also passed its annual taxi inspection test in January 2026. The Applicant was unable to be in attendance and did not send a representative.

The Sub-Committee commented that the vehicle appeared to be kept in a good and sound condition and noted that although the age of the vehicle was above the Council's policy it is a specialist vehicle and as such should be considered on an individual basis.

The Sub-Committee were satisfied that the vehicle appeared to be in an extremely good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee granted the Private Hire Vehicle Licence extension as detailed in the report with the condition that the vehicle undergoes a six-month vehicle test to monitor the condition of the vehicle due to its age and to comply with the Council's Hackney Carriage and Private Hire Licensing Policy.

256. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

It was Proposed by Cllr Peart and Seconded by Cllr Gearon that the meeting move into Part II for the consideration of the next two agenda items.

RESOLVED: unanimously that the meeting move into Part II to consider the final agenda items.

257. APPLICATION FOR HACKNEY CARRIAGE DRIVERS LICENCE

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of an application for a new Hackney Carriage Driver's Licence.

The Applicant attended the meeting in person and did not bring a representative and he answered questions put to him by the Sub-Committee.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Hayes and seconded by Councillor Peart, and

RESOLVED that the application for a new Hackney Carriage Drivers Licence be refused under Section 51 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976, so as to promote public safety. The Sub-Committee felt that the conduct of the Applicant as set out in the Report, supported its view that they are not a fit and proper person to hold such a Licence.

Reasons for the decision:

Members noted the information set out in the report and read out by the Licensing Officer who highlighted that the Sub-Committee and the Licensing Authority have a duty towards the public in ensuring licensed drivers are fit and proper. This is considered under the balance of probabilities test and if there is any doubt as to the Applicant's fitness to be a taxi driver then a licence should not be given.

The Licensing Officer continued and explained that a licence has been applied for in March 2025 and the driver was interviewed in July 2025 as is the practice for all new applicants. The interview contained general questions about the application, and it soon became apparent that the Applicant was struggling with the English language and only providing 'yes' and 'no' answers. The Applicant was also given a section of the Hackney Carriage and Private Hire Taxi policy to read. When asked questions on this the Applicant was unable to answer, and only very broken and unclear responses were received. Eventually the Applicant understood and answered 'no' in response to whether he could continue to work with broken footwear.

The Licensing Officer continued and confirmed that the recommendation to the Sub-Committee is to refuse the licence request as it is felt the Applicant's current language skills do not meet the standard required to be considered a 'fit and proper person' and it is considered that the inability to communicate properly poses a risk to public safety.

The Sub-Committee then heard from the Applicant, who explained the reasons he believed his language skills had not previously improved. When he was interviewed in March 2025, he did not expect the level or number of questions that he was asked. The Applicant expressed again that his language skills were bad at the time, but he feels he has improved since this interview as have his writing skills. He has a family he wants to support and feels he can do this by becoming a taxi driver. The Applicant stated he was happy to be given a shorter licence to prove he can do the job.

In response to further questions the Applicant passed around information that showed he has enrolled onto an English language course which is due to finish in July 2026. He then read out some wording from the Wolverhampton knowledge test practice sheet, although it was noted that he appeared to still have difficulties with fluency and the Sub-Committee had difficulty in understanding him.

The members further questioned if the Applicant intended to complete all levels of the English language course he has enrolled on or just the current level. The Applicant appeared to not fully understand the question and was unable to answer, even when the question was rephrased for him several times.

The Sub-Committee thanked the Applicant for appearing before them but felt that all factors combined meant that they did not consider he was a fit and proper person to hold a licence.

The Sub-Committee noted that although the Applicant has started an English language course, it is apparent he still appears to significantly struggle with English and comprehension at this time. There were concerns that he would be unable to understand the taxi policy and the requirements of being a taxi driver, one of which is the ability to be able to communicate effectively.

The Sub-Committee also felt that should he be granted a licence there was a serious concern he would be unable to communicate effectively with passengers which posed a risk to public safety and also to himself. Taxi drivers are held to a higher standard and may face challenging circumstances that need to be dealt with appropriately. There were concerns from the Sub-Committee about how the Applicant may react to difficult situations due to his lack of English language skills.

The Sub-Committee noted that there was nothing stopping the Applicant from applying for a licence again in the future once his English had improved and commended him for enrolling on the course to improve his skills.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the Applicant, it was concluded after significant deliberation that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of public safety and considered that, on balance, there was cause to show that the Applicant was not a fit and proper person to hold a Licence at this time.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to refuse the application for a new Hackney Carriage Drivers Licence.

258. APPLICATION FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of an application for a new combined Hackney Carriage / Private Hire Driver's Licence.

The Applicant attended the meeting in person and did not bring a representative and he answered questions put to him by the Sub-Committee.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Hayes and seconded by Councillor Peart, and

RESOLVED that the application for a new combined Hackney Carriage / Private Hire Drivers Licence be granted under Section 51 (1)(a) and Section 59 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976. The Sub-Committee felt that the conduct of the Applicant as set out in the Report and during the meeting, supported its view that they are a fit and proper person to hold such a Licence.

Reasons for the decision:

Members noted the information set out in the report and read out by the Licensing Officer who highlighted that the Sub-Committee and the Licensing Authority have a duty towards the public in ensuring licensed drivers are fit and proper. This is considered under the balance of probabilities test and if there is any doubt as to the Applicant's fitness to be a taxi driver then a licence should not be given.

The Licensing Officer continued and set out that a licence has been applied for in November 2025 and the Applicant had disclosed the 9 points on his licence in the application. The Applicant was interviewed in January 2026 and correctly answered all questions asked by the Licensing Officers. The Applicant has passed a Taxi Driver assessment on 4 December 2025 with a fault for speed.

The Licensing Officer continued and confirmed that the recommendation to the Sub-Committee is to grant the licence request but with additional conditions on the licence as a safeguarding measure due to the points already received. Examples of suggested conditions were included within the report.

The Sub-Committee then heard from the Applicant who expressed remorse for the number of points on his licence. He then explained that these all occurred within a short time frame and during a time when his mental health was suffering. These issues have now improved. These were honest mistakes, and he is still paying for it now.

The Applicant explained he had been driving for many years and first obtained his licence when he was in the army. Since leaving he has been driving HGVs for a living but has recently stopped as he wants a career change. He has chosen to drive taxis and he has a job offer waiting should the licence be granted.

The Sub-Committee thanked the Applicant for appearing before them and noted that he appeared remorseful. When taking into account all factors combined the committee considered that the Applicant was a fit and proper person to hold a licence but felt that due to the current number of points for speeding some additional conditions on the taxi driver's licence were necessary.

Members noted that the Applicant had been driving for many years without incident but had appeared to have a short period of time where things had gone wrong. The Sub-Committee felt that granting the licence for one year instead of the three requested would give the Applicant a reasonable period to show he is able to drive safely and, should there be no further incidents, he will be able to apply for a three-year licence when it comes to renewing.

The Sub-Committee also felt that an accredited speed awareness / driver improvement course should be undertaken within the first three months of the licence and proof provided to the Licensing Officers of passing this. The Sub-Committee also wanted to reserve the right for the Licensing Officers to request that the Applicant undergoes a refresher driving assessment course within the first 6 months of the licence if they feel it is necessary. The Sub-Committee further wanted to highlight and make the Applicant aware of the need for future compliance with road traffic laws and licensing conditions and the seriousness of not complying with could result in consequences such as having the driver's licence reviewed if there are any concerns raised.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the Applicant, it was concluded after significant deliberation that they would be but with the additional conditions. The Sub-Committee noted its overriding duty to the public, and of the importance of public safety and considered that, on balance, there was no cause to show that the Applicant was not a fit and proper person to hold a Licence at this time.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to grant the application for a new combined Hackney Carriage / Private Hire Drivers Licence but with the additional conditions as stated above.

Cllr Hayes
Chair