

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

MONDAY, 10TH OCTOBER 2011 (10.30 AM)

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**Present:**

Councillors: J Baker (Chairman), P B Harrison (Vice-Chairman), R Bishop, B T Glass, J Greener, V Higgs, A T Hingley, M Price, M A Salter and G C Yarranton.

**Observers**

There were no members present as observers

**LIC.40 Apologies for Absence**

Apologies for absence were received from Councillors A J Buckley and P V Hayward.

**LIC.41 Appointment of Substitutes**

Councillor G C Yarranton was a substitute for Councillor A Buckley.

**LIC.42 Declaration of Interests**

No declarations of interest were made.

**LIC.43 Minutes**

**Decision: The minutes of the meeting held on 14th September 2011 be confirmed as a correct record and signed by the Chairman.**

Before the meeting commenced the Solicitor advised Members that the Committee would inspect each taxi in turn and reminded Members that matters should not be discussed whilst outside either with each other or the taxi drivers. Members were also asked to take a consistent approach with the previous applications that had been considered.

**LIC.44 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)**

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the renewal of a Hackney Carriage Proprietor's Licence made by Mr R. Dyer, 4 Forester Way, Kidderminster, Worcestershire DY10 1NT, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer informed Members that the applications to renew the

#### **Agenda Item No. 4**

Hackney Carriage Proprietor Licences that were being presented to the Committee fell outside of the Policy adopted by the Council and that they were being asked to assess whether or not the vehicles presented could be an exception to the Policy on the grounds of quality safety and accessibility, mileage and the protection of the travelling public. The Committee were reminded that their decision was to be based on the prime aim of the Council, which was to make travelling in Wyre Forest as safe as possible. He also reminded Members that the Council had a duty to protect the travelling public. All of the taxis before the Committee had been inspected by Licensing Officers and it was felt that none of them were exceptional to the Council's policy. He advised Members that they would have to make a decision as to whether or not they should depart from the policy set in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number GN52 VXK.

Mr Dyer and Mr Owen had no comments to make in support of their applications.

Members of the Committee left the Council Chamber to inspect the vehicles, registration numbers GN52 VXK and YK52 WDG at this point, (10.41am) and returned at 10.46am.

Members of the Committee, the Solicitor and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Dyer, Mr Baras, Ms Williams and the Licensing Officers left the meeting whilst the Committee reached their decision.

**Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number GN52 VXK, the Committee decided that subject to the following works being carried out to the satisfaction of the Licensing Officer within 14 days of this meeting:**

- 1. the front bumper to be repaired/replaced (as appropriate);**
- 2. the scratch on the rear side quarter panel to be repaired;**
- 3. the drivers door to be repaired; and**
- 4. the steering wheel cover to be replaced,**

**that a Hackney Carriage Proprietor's Licence HC 039 vehicle registration number GN52 VXK be granted for twelve months from 1<sup>st</sup> July 2011 to 30<sup>th</sup> June 2012 because, otherwise, on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was for the age of the vehicle presented in an exceptional condition: where the body work was good and that the interior is exceptional and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.**

#### **LIC.45 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)**

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the renewal of a Hackney Carriage Proprietor's Licence made by Robert Edward Ingle of Regency Vehicle Hire, 5 Comberton Terrace, Kidderminster, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number YK52 WDG.

Mr Owen had been appointed to speak on behalf of Mr Ingle and he had no comments to make in relation to the application.

Members of the Committee, the Solicitor and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Baras, Ms Williams and the Licensing Officers left the meeting whilst the Committee reached their decision.

**Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number YK52 WDG, the Committee decided that a Hackney Carriage Proprietor's Licence HC030 vehicle registration number YK52 WDG be granted for twelve months from 1<sup>st</sup> July 2011 to 30<sup>th</sup> June 2012 because on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was for the age of the vehicle presented in an exceptional condition: where the body work was good and that the interior was exceptional and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.**

**LIC.46 Exempt Information**

**Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 2, 6 and 7 of Part I of Schedule 12A of the Act.**

**LIC.47 Application for the Grant of a Hackney Carriage / Private Hire Drivers Licence**

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the grant of a Hackney Carriage / Private Hire Drivers Licence.

The applicant, Ms Williams and the Licensing Officers left the meeting whilst the Committee reached their decision.

**Decision: Having carefully considered the application to grant a Hackney Carriage/Private Hire Driver's Licence to Mr Nadeem Salem Baras, the Committee has decided that the application to grant a Hackney Carriage/Private Hire Driver's Licence to Mr Nadeem Salem Baras be refused on the grounds that the applicant did not appear to the Committee to be "a fit and proper person" to hold such a Licence.**

The meeting ended at 11.46am.