

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

9TH DECEMBER 2013 (10.30AM)

Present:

Councillors: P B Harrison (Chairman), J A Hart (Vice-Chairman), R Bishop, C Brewer, P Dyke, J Greener, P V Hayward, V Higgs, M B Kelly, N Knowles, D R Sheppard, N J Thomas and G C Yarranton.

Observers:

There were no members present as observers.

LIC.11 Apologies for Absence

Apologies for absence were received from Councillors J W Parish, M Price and S J Williams.

LIC.12 Appointment of Substitutes

Councillor C Brewer was appointed as a substitute for Councillor J W Parish.

LIC.13 Declaration of Interests

No declarations of interest were made.

LIC.14 Minutes

Decision: The minutes of the meeting held on 5th August 2013 be confirmed as a correct record and signed by the Chairman.

The Senior Licensing Practitioner, Worcestershire Regulatory Services (WRS) provided the Committee with a verbal update on the scrap metal licensing regulations. Members were advised enforcement came into effect on 2nd December 2013 and it was a requirement for licensed collectors of scrap metal to display a disc in the windscreen of the vehicle they were operating from. The Senior Licensing Practitioner agreed to provide Members with an example of the disc for further reference.

LIC.15 Exclusion of the Press and Public

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

LIC.16 Application for the Grant of a Hackney Carriage Private Hire Drivers Licence

The Committee received a report from the Director of (WRS) on behalf of Wyre Forest District Council that asked Members to consider an application for the grant of a Hackney Carriage/Private Hire Driver's Licence.

The Senior Licensing Practitioner (WRS) led Members through the report and advised that at the request of the probation service, the second conviction listed on page 9 of the exempt report to the Committee was withdrawn. Therefore Members were asked to consider just the one conviction when determining the application.

The Applicant addressed the Committee and asked Members to support his application. Members questioned the applicant on the circumstances surrounding the conviction and his work and home commitments and responsibilities.

The Senior Licensing Practitioner, applicant and the applicants' mother left the meeting at this point, (10.53am), for Members to deliberate their decision. The Solicitor and the Committee and Member Services Officer stayed in 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 the applicant, the Committee has decided:

Notwithstanding the applicant's conviction for Wounding with Intent to do Grievous Bodily Harm on 29 June 2007 and the guidance contained in Council's "Guidelines relating to the Relevance of Convictions", the Committee are satisfied that the applicant is a "fit and proper person" to be granted such a Hackney Carriage/Private Hire Driver's Licence and the Committee, having considered the Guidance relating to Violence, is justified in departing from the Council's Guidelines because of the exceptional circumstances presented to the Committee in that the applicant has proved to the Committee that since the single offence he has been a good citizen, he has been engaged in steady employment for the period before and since the offence and he wants to move forward with his life.

There being no further business, the meeting ended at 11.15am.