

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

10TH FEBRUARY 2014 (10.30AM)

Present:

Councillors: P B Harrison (Chairman), J A Hart (Vice-Chairman), R Bishop, J Greener, P V Hayward, V Higgs, M B Kelly, N Knowles, J W Parish, M Price, C Rogers, D R Sheppard, N J Thomas and S J Williams.

Observers:

Councillor C Brewer.

LIC.17 Apologies for Absence

Apologies for absence were received from Councillors P Dyke and G C Yarranton.

LIC.18 Appointment of Substitutes

Councillor C Rogers was a substitute for Councillor G C Yarranton.

LIC.19 Declaration of Interests

Councillor M B Kelly declared an Other Disclosable Interest (ODI) in agenda item number 8 – Application for the Grant of a Hackney Carriage Private Hire Driver's Licence, as he had an association with the applicant.

Councillor V Higgs declared an ODI in agenda item number 8 – Application for the Grant of a Hackney Carriage Private Hire Driver's Licence, as she had an association with the applicant.

Councillor N Knowles declared an ODI in agenda item number 8 – Application for the Grant of a Hackney Carriage Private Hire Driver's Licence, as he had an association with the applicant.

LIC.20 Minutes

Decision: The minutes of the meeting held on 9th December 2013 be confirmed as a correct record and signed by the Chairman.

LIC.21 Increase in Fees and Charges for Licensing the Council's Regulatory Service Function for 2014/2015.

The Committee received a report from the Director of Worcestershire Regulatory Services (WRS) on behalf of Wyre Forest District Council which

informed Members of the increase in the fees and charges in respect of the Council's Regulatory Service Function for 2014/2015.

The Senior Licensing Practitioner (WRS) led Members through the report and advised that the Medium Term Financial Strategy 2014-2017 had been agreed at the meeting of the Full Council on 27th November 2013. Therefore, the report was for information only.

Councillor J Greener entered the meeting at this point, (10.36am).

Agreed: The report be noted.

LIC.22 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.

Councillor N Knowles entered the meeting at this point, (10.54am).

Councillors Kelly, Higgs and Knowles declared their interests at this point.

LIC.23 Application for the Grant of a Hackney Carriage Private Hire Driver's 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.

Prior to presenting the report the Senior Licensing Practitioner (WRS) advised Members that the first and third convictions listed at paragraph 5.2 on page 27 of the exempt report to the Committee, were both dealt with by way of a conditional discharge. They were not classed as convictions in the Council's "Guidance relating to the Relevance of Convictions", and therefore should not be considered when determining the application.

The Senior Licensing Practitioner led Members through the report and highlighted the relevant convictions listed on the DBS disclosure form.

The applicant addressed the Committee and asked Members to support his application.

The Senior Licensing Practitioner and applicant left the meeting at this point, (11.26am), 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 that the application to grant a Hackney Carriage/Private Hire Driver's Licence to the applicant be refused on the grounds that the applicant did not appear to the Committee, with due consideration of the Council's "Guidelines relating to the Relevance of Convictions", to be "a fit and proper person" to hold such a Licence in light of:

- 1. the applicant having being convicted on more than one occasion for various offences over a number of years he has shown a pattern for committing criminal offences; and**
- 2. the convictions listed under PNC ID(1) Conviction 4 and 5, PNC ID(2) of the Disclosure & Barring Service Enhanced Certificate and the current SP30 show a significant history of driving offences; and**
- 3. the applicant has been convicted of driving without insurance on more than one occasion; and**
- 4. the applicant has not demonstrated five years free from driving convictions since having his licence restored following disqualification from driving for a major traffic offence and so, in accordance with the Guidelines, this application should be refused.**

There being no further business, the meeting ended at 11.46am.