

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

6TH OCTOBER 2014 (10.30AM)

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**Present:**

Councillors: P B Harrison (Chairman), G C Yarranton (Vice-Chairman), G W Ballinger, R Bishop, A R Clent, P Dyke, J A Hart, P V Hayward, V Higgs, J Holden, M B Kelly, N Knowles, M Price and D R Sheppard.

**Observers:**

There were no members present as observers.

**LIC.7 Apologies for Absence**

Apologies for absence were received from Councillor J Aston.

**LIC.8 Appointment of Substitutes**

No substitutes were appointed.

**LIC.9 Declaration of Interests**

No declarations of interest were made.

**LIC.10 Minutes**

**Decision: The minutes of the meeting held on 4th August 2014 be confirmed as a correct record and signed by the Chairman.**

**LIC.11 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.**

Members were invited to declare the existence of any interests at this point.

**LIC.12 Application for the Grant of a Hackney Carriage Private Hire Driver's Licence**

It was noted by the Committee that the applicant was not in attendance and the report was heard in his absence.

The Committee received a report from the Director of Worcestershire Regulatory Services (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 Technical Officer - Licensing (WRS) led Members through the report and drew their attention to the conviction and penalty points which the applicant had failed to declare on the application form. These had been revealed on examination of the applicants DBS Disclosure, counterpart driving licence and DVLA mandate.

Members were advised that during a previous conversation with the Licensing Officer, the applicant had failed to comment or give an explanation as to why the previous conviction and penalty points had not been declared on the application form.

The Technical Officer – Licensing also confirmed that the applicant had acknowledged receipt of a copy of the committee papers and was fully aware of the date, time and location of the hearing. The applicant had not sent any notification stating they were unable to attend the hearing.

The Technical Officer - Licensing left the meeting at this point, (11.00am), 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.

Councillor P Dyke left the meeting at this point, (11.04am).

**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 as, on the evidence put in front of the Committee, the applicant has not shown to the Committee any reason that he is a trustworthy open and honest person to hold such a Licence and in light of:**

- 1. the applicant's conviction for Failing to Notify Change of Circumstances affecting entitlement to benefit/other payment on 10 December 2012 being an offence involving dishonesty;**
- 2. the failure to disclose all incidents relating to criminal convictions in the applicant's Driver Licence Application dated 24 July 2014 showing to the Committee an intention to deceive;**
- 3. having been convicted or having received a caution on more than one occasion for offences over a number of years, the applicant has shown a pattern for committing criminal offences; and**
- 4. the Committee's concern about the applicant's caution dated 26 July 2012 for the Misuse of Drugs Act 1971.**

There being no further business, the meeting ended at 11.20am.