

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

MONDAY 3<sup>RD</sup> OCTOBER 2016 (10.30AM)

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**Present:**

Councillors: J A Hart (Chairman), J Baker (Vice-Chairman), J Aston, R Bishop, I Hardiman, V Higgs, F M Oborski MBE, M Rayner, J D Smith, R J Vale and R Wilson.

**Observers:**

There were no members present as observers.

**LIC.8 Apologies for Absence**

Apologies for absence were received from Councillor J R Desmond.

**LIC.9 Appointment of Substitutes**

No substitutes were appointed.

**LIC.10 Declaration of Interests**

No declarations of interest were made.

**LIC.11 Minutes**

**Decision: The minutes of the meeting held on 13<sup>th</sup> June 2016 be confirmed as a correct record and signed by the Chairman.**

**LIC.12 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.13 Application for the Grant of a Hackney Carriage Private Hire Driver's Licence**

The Committee received a report from the Director of Economic Prosperity and Place that asked Members to consider an application for the grant of a Hackney Carriage/Private Hire Driver's Licence.

The Senior Practitioner – Licensing (WRS) led Members through the report

and highlighted the relevant convictions listed on the DBS disclosure form which was circulated to Members at the meeting.

The applicant addressed the Committee and asked Members to support his application. Following questions from Members, the applicant outlined the circumstances surrounding his previous convictions and explained that he had turned his life around, and wanted to be a taxi driver to enable him to work flexible hours so that he could spend more time with his young family.

The Senior Practitioner – Licensing and applicant left the meeting at this point, (10.50am), for Members to deliberate their decision. The Solicitor and the Principal Committee and Member Services Officer stayed in the meeting whilst the Committee reached their decision.

The Senior Practitioner – Licensing and applicant re-entered the meeting at this point, (11.12am). The Solicitor read out the decision of the Committee.

**Agreed:**

**Having carefully considered the application to grant a Hackney Carriage/Private Hire Driver’s Licence to the applicant, the Committee has decided that notwithstanding the applicant’s previous convictions and the guidance contained in Council’s “Guidelines relating to the Relevance of Convictions”, the Committee is satisfied that the applicant is a “fit and proper person” to be granted such a Hackney Carriage/Private Hire Driver’s Licence and it is justified in departing from the Council’s “Guidelines relating to the Relevance of Convictions” because of the exceptional circumstances presented to the Committee that:**

- 1. the two crimes of dishonesty were committed over 15 years ago and since those convictions no further convictions have been recorded;**
- 2. the applicant has presented himself well to the Committee, he has been in steady employment and has now settled down and wants to do the best for his family.**

The Committee was adjourned at 11.15am and re-convened at 11.20am.

**LIC.14 Application for the Grant of a Hackney Carriage Private Hire Driver’s Licence**

The Committee received a report from the Director of Economic Prosperity and Place that asked Members to consider an application for the grant of a Hackney Carriage/Private Hire Driver’s Licence.

The Senior Practitioner – Licensing (WRS) led Members through the report and highlighted the relevant convictions listed on the DBS disclosure form which was circulated to Members at the meeting.

The applicant addressed the Committee and asked Members to support his application. Following a series of questions from Members, the applicant outlined the circumstances surrounding his last recorded conviction and gave a brief summary of his employment history.

The Senior Practitioner – Licensing and applicant left the meeting at this point, (11.44am), for Members to deliberate their decision. The Solicitor and the Principal Committee and Member Services Officer stayed in the meeting whilst the Committee reached their decision.

The Senior Practitioner – Licensing and applicant re-entered the meeting at this point, (12.06pm). The Solicitor read out the decision of the Committee.

**Agreed:**

**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 the information provided that the applicant has been convicted, as an adult, of a series of serious violent offences over a long period of time.**

There being no further business, the meeting ended at 12.08pm.