

Open

Licensing and Environmental Committee

Agenda

10.30am
Monday, 2nd October 2017
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Licensing and Environmental Committee

Members of Committee:

Chairman: Councillor J A Hart
Vice-Chairman: Councillor J Baker

Councillor J Aston

Councillor J R Desmond

Councillor V Higgs

Councillor M Rayner

Councillor R J Vale

Councillor R Bishop

Councillor I Hardiman

Councillor F M Oborski MBE

Councillor J D Smith

Councillor R Wilson

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF.
Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

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*Unless there are no reports in the open session.

Wyre Forest District Council

Licensing and Environmental Committee

Monday, 2nd October 2017

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 7th August 2017.	6
5.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
6.	Exclusion of the Press and Public To consider passing the following resolution: "That 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 item of business on the grounds that it involves the likely disclosure of "exempt information" as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act".	

Part 2

Not open to the Press and Public

7.	Application for the Grant of a Hackney Carriage / Private Hire Driver's Licence To receive a report from the Corporate Director: Economic Prosperity and Place that asks the Committee to consider an application for the grant of a Hackney Carriage / Private Hire Driver's Licence.	-
8.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

7TH AUGUST 2017 (10.30AM)

Present:

Councillors: J Baker (Vice-Chairman), J Aston, R Bishop, J R Desmond, I Hardiman, N Knowles, F M Oborski MBE, M Rayner, J D Smith, R J Vale and R Wilson.

Observers:

There were no members present as observers.

LIC.06 Apologies for Absence

Apologies for absence were received from Councillors: J A Hart (Chairman) and V Higgs.

LIC.07 Appointment of Substitutes

Councillor N Knowles was a substitute for Councillor V Higgs.

LIC.08 Declaration of Interests

No declarations of interest were made.

LIC.09 Minutes

Decision: The minutes of the meeting held on 12th June 2017 be confirmed as a correct record and signed by the Chairman.

LIC.10 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.11 Application for the Grant of a Hackney Carriage/Private Hire Driver's Licence

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

Agenda Item No. 4

The Technical Officer – Licensing (WRS) led Members through the report and advised that the applicant had disclosed all of his previous convictions as part of the application process. A copy of the Disclosure and Barring Service (DBS) enhanced disclosure certificate and DVLA Licence Summary print out was circulated to Members at the meeting. The Technical Officer drew Members attention to the DVLA printout and advised that of the six penalty points listed; only three were current.

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 the reasons for his actions.

The Technical Officer and applicant left the meeting at this point, (10.55am), for Members to deliberate their decision. The Solicitor and Principal Committee and Member Services Officer stayed in the meeting whilst the Committee reached their decision.

The Technical Officer and applicant re-entered the meeting at this point, (11.48am). The Solicitor read out the decision of the Committee.

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 been convicted of two offences involving violent or aggressive behaviour within the last 5 years;**
- 2. the Applicant has committed a number of speeding offences which have been disclosed on the licence summary given to the Committee (of which the Committee acknowledges only three points are current); and**
- 3. the Applicant did not give the Committee sufficient exceptional circumstances to depart from the said Guidelines.**

There being no further business, the meeting ended at 11.50am.