

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

2ND OCTOBER 2017 (10.30AM)

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**Present:**

Councillors: J A Hart (Chairman), J Baker (Vice-Chairman), J Aston, R Bishop, J R Desmond, 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.

The Chairman announced that the Senior Practitioner – Licensing Worcester Regulatory Services (WRS), would be accompanied by a trainee Licensing Officer during the meeting. The Members of the Committee and the applicant confirmed that they were content for the trainee Licensing Officer to remain in the public gallery for the duration of the meeting.

**LIC.12 Apologies for Absence**

There were no apologies for absence.

**LIC.13 Appointment of Substitutes**

No substitutes were appointed.

**LIC.14 Declaration of Interests**

No declarations of interest were made.

**LIC.15 Minutes**

**Decision: The minutes of the meeting held on 7th August 2017 be confirmed as a correct record and signed by the Chairman.**

**LIC.16 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.17 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.

The Senior Practitioner – Licensing (WRS) led Members through the report and highlighted the relevant convictions listed on the Disclosure and Barring Service (DBS) enhanced disclosure form and DVLA printout which was circulated to Members at the meeting. Members were advised the applicant had undertaken the required medical examinations and had been declared medically fit to drive by a qualified Medical Practitioner and had passed his knowledge test.

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 Senior Practitioner – Licensing, applicant and trainee Licensing Officer left the meeting at this point, (10.57am), 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 Senior Practitioner – Licensing, applicant and trainee Licensing Officer re-entered the meeting at this point, (11.13am). 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 the applicant be refused on the grounds that the evidence presented to the Committee relating to his convictions does not give the Committee confidence that he is "a fit and proper person" and 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 of dishonesty;**
- 2. the applicant having also been convicted of driving a vehicle with excess alcohol, two occasions of a breach or failure to comply with the suspended sentence supervision order and the CU80 driving offence (mobile phone use) showing a pattern of committing a series of offences and disrespect for rules and regulations over a number of years;**
- 3. the applicant did not disclose, when given the opportunity and asked to do so, his previous convictions on the application form dated 6 June 2017.**

There being no further business, the meeting ended at 11.14am.