

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

5TH FEBRUARY 2018 (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.

**LIC.25 Apologies for Absence**

There were no apologies for absence.

**LIC.26 Appointment of Substitutes**

No substitutes were appointed.

**LIC.27 Declaration of Interests**

No declarations of interest were made.

**LIC.28 Minutes**

**Decision: The minutes of the meeting held on 4th December 2017 be confirmed as a correct record and signed by the Chairman.**

**LIC.29 Child Sexual Exploitation (CSE) Presentation**

The Committee received a verbal presentation from the Licensing Manager, Worcestershire Regulatory Services (WRS), West Mercia Police and representatives from Young Solutions (training provider), on a training opportunity which was being made available to Wyre Forest District Council licensed hackney carriage and private hire drivers which aims to raise awareness of CSE.

The Licensing Manager advised that the PCC funded training would be available to all taxi drivers in Worcestershire and the wider West Mercia area. She added that Wyre Forest was the third District in Worcestershire to be offered the training.

Peter Suggs - Young Solutions, said that they had worked with the PCC to undertake training to raise awareness of CSE with taxi drivers, hotel / bed and

breakfast owners and night time economy providers. The training for Wyre Forest was scheduled to begin at the end of March / beginning of April 2018.

Jill Acton – Young Solutions, advised that the training which had been delivered so far had been well received. She said that the training sessions were approximately 45 minutes long and explain that CSE is a form of sexual abuse which involves enticing or forcing a young person under the age of 18 into sexual activity. She said that taxi's had been identified as a form of transport into the exploitation process, and the aim of the training was to enable taxi drivers to be the 'eyes and ears' of the community and to pass on any concerns they see or hear in their vehicles. She added that the training was about protecting young people, but also about protecting the taxi drivers by making them aware of the dangers to them. She said that drivers can be brought into committing the offence of trafficking if they know or suspect that a child was going to be sexually exploited during or after the journey.

The Chairman said he thought the training was an excellent way forward and thanked the guests for their update.

**Agreed: The update be noted.**

**LIC.30 National Inspection Standards for Hackney Carriage and Private Hire Vehicles**

The Committee received a report from the Head of Worcestershire Regulatory Services (WRS) which sought approval from the Committee to undertake a 12 week consultation with relevant parties on a proposed introduction of The Hackney Carriage and Private Hire Vehicle National Inspection Standards Best Practice Guide.

The Senior Practitioner – Licensing (WRS) led Members through the report and advised that Wyre Forest District Council currently required all Hackney Carriage and Private Hire vehicles to be inspected and mechanically tested to ensure that they were fit for use prior to any licence being granted or renewed. He added that all licensed vehicles were tested at the Council's Green Street Depot twice a year.

Members were advised that The National Inspection Standards Best Practice Guide had been prepared by the Technical Officer Group (TOG) and was a minimum inspection standard of inspection for Hackney Carriage and Private Hire vehicles, recommended by the TOG. The Best Practice Guide had also received input from the Department of Transport (DfT), Vehicle and Operator Services Agency (VOSA), Disabled Persons Transport Advisory Committee (DPTAC) and the Institute of Licensing.

The Senior Practitioner said that the introduction of the National Inspection standards would result in a longer and more thorough inspection than the current mechanical test which may have an impact upon the vehicle inspection fee. Members were advised that any fee increase would have to go out for consultation and be brought back to the Committee prior to going to Council for a final decision.

**Agreed:**

- 1.1 The introduction of The Hackney Carriage and Private Hire Vehicle National Inspection Standards Best Practice Guide, attached at Appendix 1 of the report, be approved.**
- 1.2 Officers be instructed to undertake a consultation exercise with Wyre Forest's hackney carriage and private hire trade, the Council's testing station and other key stakeholders.**

**LIC.31 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.32 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 report was 'Exempt' as it contained information relating to an individual.

The applicant provided two character references in support of his application which was circulated to Members at the meeting along with a copy of his DBS disclosure form.

The Senior Practitioner led Members through the report and highlighted the relevant convictions listed on the DBS disclosure form. He advised that the applicant had the right to work in the UK and held a full driving licence which currently had no endorsements. He added that the applicant had undertaken the required medical examinations and had been declared medically fit to drive by a qualified Medical Practitioner. He had also successfully passed the Knowledge Test which was a requirement of Wyre Forest District Council.

The applicant addressed the Committee and asked Members to support his application. Following questions from Members the applicant explained the circumstances surrounding his previous convictions. He outlined his employment history and the reason for his decision to have a career change.

The Licensing Manager, Senior Practitioner, applicant and his partner left the meeting at this point (11.11am), 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 Licensing Manager, Senior Practitioner, applicant and his partner re-entered the meeting at this point (11.20am). 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 notwithstanding the applicant's previous convictions and the guidance contained in Council's "Guidelines relating to the Relevance of Convictions", the Committee are 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. other than the Applicant's two convictions (committed on the same day) for the offence of Theft in 1998, the Applicant has no further criminal record;**
- 2. the applicant had presented himself well to the Committee and has had steady employment for many years in a demanding environment.**

There being no further business, the meeting ended at 11.21am.