

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

10TH JUNE 2019 (10.30AM)

Present:

Councillors: P Dyke (Chairman), M Rayner (Vice-Chairman), J F Byng, A Coleman, R H Coleman, C E E Edginton-White, P Harrison, K Henderson, F M Oborski MBE, J W R Thomas and L Whitehouse.

Observers:

Councillor B S Dawes.

LIC.01 Apologies for Absence

Apologies for absence were received from Councillors: I Hardiman and P W M Young.

LIC.02 Appointment of Substitutes

Councillor P Harrison was a substitute for Councillor Hardiman.

LIC.03 Declaration of Interests

No declarations of interest were made.

LIC.04 Minutes

Decision: The minutes of the meeting held on 8th April 2019 be confirmed as a correct record by those in attendance at that meeting and signed by the Chairman.

LIC.05 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.06 Review of a Hackney Carriage/Private Hire Driver's Licence

A copy of the applicant's Enhanced Certificate and their written statement were circulated to Members.

The Committee received a report from the Corporate Director: Economic Prosperity and Place to review a Hackney Carriage/Private Hire Driver's Licence.

Agenda Item. No 4

The Senior Practitioner – Licensing led Members through the report giving details as to the reason for the review. He informed Members that the applicant had failed to declare to Worcestershire Regulatory Services convictions at the time they took place and also did not declare the convictions on two renewal application forms.

The applicant answered questions from Members explaining the reasons for not declaring the convictions.

The Chairman informed the Committee that Councillor Dawes would remain in the room for deliberation as an observer but would take no part in the discussion or decision making.

The Senior Practitioner – Licensing, Technical Officer (WRS) and applicant left the meeting at this point (11:00am) for Members to deliberate their decision. The Solicitor and Assistant Committee Services Officer stayed in the meeting whilst the Committee reached their decision.

The Senior Practitioner – Licensing, Technical Officer (WRS) and applicant returned at 11:27am and the Solicitor read out the decision of the Committee.

Decision: Having reviewed the applicant's Hackney Carriage/Private Hire Driver's Licence and carefully considered whether they are a fit and proper person to continue to hold such a licence, the Committee have decided:

- 1. That the applicant's Hackney Carriage/Private Hire Driver's Licence is revoked 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 continue to hold such a Licence for the following reasons:**
- 2. The Applicant's conviction for repeated dishonesty offences (committed over a prolonged period of time), namely four counts of benefit fraud involving the making of false statements and withholding information to obtain benefit.**
- 3. The Applicant's failure to declare their conviction to the Council within 7 days as required by the Council's Guidelines relating to the Relevance of Convictions.**
- 4. The Applicant's failure to declare the conviction on their renewal applications despite the application forms clearly requiring them to do so.**
- 5. Taking into account the necessity of honesty and trustworthiness for hackney carriage and private hire drivers the Committee were not persuaded that the Applicant's failure to declare their convictions on multiple occasions was just an unintentional oversight rather than a deliberate action.**

There being no further business the meeting ended at 11:30am