

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

7TH OCTOBER 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, I Hardiman, K Henderson, F M Oborski MBE, J W R Thomas and L Whitehouse.

Observers:

Councillor B S Dawes.

LIC.12 Apologies for Absence

Apologies for absence were received from Councillor P W M Young.

LIC.13 Appointment of Substitutes

No substitutes were appointed.

LIC.14 Declaration of Interests

Councillor R H Coleman declared an Other Disclosable Interest (ODI) in agenda item 5, that he holds a personal licence issued by Wyre Forest District Council (WFDC) as the Designated Premises Licence holder for the Load Street car park, Severn Side South and Severn Side North in Bewdley. He carries out this role as a Councillor on Bewdley Town Council and receives no financial reward and therefore has no bias that could, in his opinion, be perceived as such by a member of the public.

Councillor A Coleman declared that her husband is a personal licence holder on behalf of Bewdley Town Council.

Councillor C E E Edginton-White informed the Committee that she had previously been a member of the Bewdley Conservation Area Residents Association (BCARA), as she lives in the area.

Councillor R H Coleman informed the Committee that he had previously been a member of BCARA as he lives in the conservation area.

Councillor A Coleman informed the Committee that she had previously been a member of BCARA as she lives in the conservation area.

LIC.15 Minutes

Decision: The minutes of the meeting held on 5th August 2019 be confirmed as a correct record and signed by the Chairman.

LIC.16 Licensing Act 2003 Review of Statement of Licensing Policy Consultation Results

The Committee received a report from the head of Worcestershire Regulatory Services (WRS) on behalf of Wyre Forest District Council on the responses received during the consultation on a draft revised Statement of Licensing Policy. The Senior Practitioner – Licensing led Members through the report explaining the consultation process and highlighted the organisations that had been consulted with. He explained that the consultation had also been available on the WFDC website and had been publicised via social media.

The Senior Practitioner – Licensing informed Members that there had been one response received by the Council from BCARA. Full details of the response, and Officers reply to each point raised, had been included in the agenda pack. He then discussed each point in turn and gave reasons for the responses from Officers. As a result of the feedback received WRS had agreed that their website was aimed at applicants and was taking steps to improve the interface for residents. The Senior Practitioner – Licensing answered Members questions on the information he had provided.

Councillor I Hardiman informed the Committee that he felt Officers had reacted positively to the issues raised by BCARA and had provided a thorough response, addressing each point.

Decision:

To recommend to Council that the revised Statement of Licensing Policy attached at appendix 1 of the report be approved and published.

LIC.17 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.18 Application for the Grant of a Hackney Carriage/Private Hire Driver’s Licence

A copy of the applicant’s Enhanced Certificate and an email statement were circulated to Members and time was given for these documents to be considered before the Committee received a report from the Corporate Director: Economic Prosperity and Place which asked the Committee to consider an application for the grant of a Hackney Carriage/Private Hire Driver’s Licence. The applicant had been unable to attend the Committee in

person but had given their approval for the application to be considered in their absence.

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 previous criminal convictions on the application form.

The Senior Practitioner – Licensing left the meeting at this point (11:14am) 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 returned at 11:32am and 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 unanimously decided:

That the application to grant a Hackney Carriage/Private Hire Driver’s Licence 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 applicant having committed 2 offences relating to violence, including an assault on police.**
- **The applicant’s failure to disclose these convictions in the application form despite having been specifically asked to declare all of them in the application form.**
- **The inappropriate tone the Applicant presented in the e-mail submitted in support of his application, which was circulated to the committee at the licensing hearing.**

There being no further business the meeting ended at 11:33am