

WYRE FOREST DISTRICT COUNCIL

Licensing and Environmental Committee

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

2 October 2023 (10.30am)

Present:

Councillors: P Harrison (Chairman), J Aston, J F Byng, P Dyke, K Gale, I Hardiman, M McDonnell, S Miah, M Rayner, C Rogers and A Sutton.

Observers:

There were no members present as observers.

LIC.16 Apologies for Absence

Apologies for absence were received from Councillor K Henderson (Vice Chairman).

LIC.17 Appointment of Substitutes

No substitutes were appointed.

LIC.18 Declaration of Interests

Councillor S Miah declared that in respect of exempt agenda item no. 7 - Application for Grant of a Licence to Drive Private Hire Vehicles, that the applicant is known to him as a client of his firm and that he would leave the meeting at the appropriate time.

LIC.19 Minutes

Decision: The minutes of the meeting held on 7 August 2023 be confirmed as a correct record and signed by the Chairman.

LIC.20 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.

As recorded previously in the minutes, Councillor S Miah left the meeting at 10:35am because of his declaration of interest.

LIC.21 Application for Grant of a Licence to Drive Private Hire

The Chairman welcomed the applicant to the meeting and explained the order of proceedings. The Chairman gave members a further opportunity to declare any interests.

A copy of the applicant's Disclosure and Barring Service (DBS) enhanced check certificate was circulated to members.

The Committee received a report from the Technical Officer (Licensing) that presented information for it to consider an application for the grant of a licence to drive private hire vehicles. The Technical Officer (Licensing) presented the exempt report and outlined key issues for the Committee to consider the application and decide if the applicant is a fit and proper person to be granted such a licence. He drew members' attention to the convictions listed on the DBS Certificate and declared on the application form. The Committee was given the opportunity to ask questions, to which the Technical Officer (Licensing) was able to give verbal responses.

The applicant then addressed the Committee in support of his application and explained the circumstances for not renewing his licence within the 14-day time limit under the recent rule changes. He responded to questions raised by members.

The Technical Officer (Licensing) and the applicant left the meeting at this point, (10.51am) for members to deliberate their decision. The Solicitor and the Assistant Committee Services Officer stayed in the meeting whilst the Committee reached their decision.

The Technical Officer (Licensing) and applicant re-entered the meeting at 11.00am. The Solicitor read out the decision of the Committee.

Decision: Having carefully considered the application to grant a Private Hire Driver's Licence to the applicant, the Committee has decided that: Notwithstanding the applicant's previous convictions, the Committee are satisfied, having taken into consideration the guidance contained in the Council's Hackney Carriage and Private Hire Licensing Policy and the "Guidelines on the Assessment of Previous Convictions" contained therein, that the applicant is a "fit and proper person" to be granted such a Private Hire Driver's Licence and the committee is justified in this decision because of the exceptional circumstances presented to the Committee during the hearing:

- 1. Over 46 and 44 years have passed since the commission of two of the offences. Over 30 years have passed since the commission of the third offence and the applicant has not committed any further offences since then with the exception of a recent minor speeding offence.**
- 2. The applicant had previously held a hackney and private hire driver licence with the council for several years and his file contained no record of any complaints received against him during the period.**
- 3. From the representations submitted by the applicant in respect of his application and his demeanour during the hearing, he appeared to the Committee to be a person of good character with whom the travelling public would be safe.**

4. **Notwithstanding the above the Committee wishes to warn the applicant to be more careful in the future in respect of speeding to avoid any future issues with his licence.**

There being no further business, the meeting ended at 11.03am