

WYRE FOREST DISTRICT COUNCIL

Licensing and Environmental Committee

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

4 December 2023 (10.30am)

Present:

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

Observers:

There were no members present as observers.

LIC.22 Apologies for Absence

Apologies for absence were received from Councillor M Rayner.

LIC.23 Appointment of Substitutes

No substitutes were appointed.

LIC.24 Declaration of Interests

No declarations of interest were made.

LIC.25 Minutes

Decision: The minutes of the meeting held on 2 October 2023 be confirmed as a correct record and signed by the Chairman.

LIC.26 Potential reform of policy on Taxi and Private Hire Vehicle Licensing

The Committee received a report from the Principal Officer – Licensing (on behalf of the Head of Worcestershire Regulatory Services for WFDC) that asked the Committee to consider responses received during the recent consultation on the proposal to amend the Council’s hackney carriage and private hire vehicle licensing policy, as part of the programme of reform agreed by the Committee in August 2023.

The Principal Officer – Licensing presented the report, explaining that this is just one part of the package of reform and that a decision would set an example to other districts. The Committee discussed the report fully and was given the opportunity to ask questions, to which the Chief Executive and Principal Officer – Licensing were able to provide verbal responses.

Agreed: The Committee NOTED the responses received during the recent consultation and RESOLVED to:

- 1.1 **APPROVE** an amendment to the existing hackney carriage vehicle policy which prohibits the licensing of fossil-fuel driven vehicles entering the Council’s hackney carriage and private hire fleet after 31 December 2026.
- 1.2 **APPROVE** an amendment to the existing hackney carriage vehicle age policy to take effect from the 1st January 2024 so that:
 - I) The lower vehicle age limit applicable to all new, replacement and temporary hackney carriage and private hire vehicles is 5 years from the date of first registration.
 - II) The upper age limit applicable to all new, replacement and temporary hackney carriage and private hire vehicles is 12 years from the date of first registration.

LIC.27 Review of Fees and Charges for the Council’s Licensing and Regulatory Services Function 2024/25

The Committee considered a report from the Principal Officer – Licensing, which informed members of the recent review of the Council’s Licensing and Regulatory Services Function fees and charges for the financial year 2024/25.

The Principal Officer – Licensing presented the annual report, which the Committee is asked to review prior to it being considered by Council when setting the annual budget. Members discussed the report and were invited to ask questions to which the Principal Officer – Licensing and Chief Executive provided answers.

Recommendation: The Committee considered the information in the report and:

- 2.1 **NOTED** the contents of the report, in particular the draft Licensing & Environmental Health fees and charges for 2024/25 at Appendix 1.
- 2.2 **Resolved to RECOMMEND** to Council that the proposals for fees and charges within the Council’s Licensing, Food, Health, Safety and Pollution Control functions for 2024/25, as detailed in the report, be included in the Council’s 2024/25 budget strategy.

LIC.28 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.29 Application for Grant of a Licence to Drive Private Hire Vehicles

The Chairman welcomed the applicant to the meeting and explained the order

of proceedings. The Chairman gave members the opportunity to declare any interests and there were none.

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

The Principal Officer – Licensing presented the exempt report to the Committee that provided information for it to consider and determine whether the applicant is a fit and proper person to hold a licence to drive Private Hire Vehicles. The Principal Officer – Licensing outlined the key issues for the Committee to take into consideration when making their decision.

The applicant was invited to address the Committee and gave further details of his current situation. Following questions from members, the applicant gave additional information to explain the incidents further.

The Principal Officer – Licensing and the applicant left the meeting at 11.31am 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 Principal Officer – Licensing and applicant re-entered the meeting at 11.44am 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 have decided, with due consideration of the Hackney Carriage and Private Hire Licensing Policy and the 'Guidelines on the Assessment of Previous Convictions' contained therein, that:

Notwithstanding the applicant's drug related offence dating to 2012 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 for the following reasons:

- 1. More than the minimum of 10 years required by the Council's Policy for rehabilitation have passed since the applicant's sentence for the drug related offence has been completed.**
- 2. The conviction is an isolated conviction and the applicant has no other convictions of a type that would negatively affect his ability to have his application granted.**
- 3. The applicant's circumstances have changed significantly, he has turned over his life since the commission of the offence and he appears to have learnt from his mistake.**
- 4. The applicant has presented himself well to the committee and the committee were impressed by his attitude and honesty.**

There being no further business, the meeting ended at 11.46am.