

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE LICENSING COMMITTEE**

**MONDAY 16TH MARCH 2026, AT 6.00 P.M.**

PRESENT: Councillors J. Elledge (Chairman), B. McEldowney (Vice-Chairman), R. Bailes, J. Clarke, A. M. Dale, D. J. A. Forsythe, B. Kumar (during Minute No's 18/25 to part of 22/25), D. Hopkins, C.A. Hotham, S. A. Robinson and P. J. Whittaker

Officers: Mrs. V. Brown, Ms. K. Lahel, Ms. H. Powell and Mrs. P. Ross

18/25

**APOLOGIES**

Apologies for absence were received from Councillors R. J. Hunter and P. M. McDonald.

19/25

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

20/25

**MINUTES**

The minutes of the Licensing Committee meeting held on 10<sup>th</sup> November 2025 were submitted for Members' consideration.

**RESOLVED** that the minutes of the Licensing Committee meeting held on 10<sup>th</sup> November 2025, be approved as a correct record.

21/25

**REVIEW OF STREET TRADING POLICY - FOR MEMBER DISCUSSION**

The Licensing and Support Services Manager and Principal Officer (Licensing), Worcestershire Regulatory Services (WRS) provided Members with a verbal update on the Council's Street Trading Policy, and in doing so, explained that the current policy had come into effect on 1<sup>st</sup> December 2017 and therefore the policy now needed to be reviewed to ascertain if the policy was still current.

Members were being asked for any comments / updates that they felt should be included within the policy, prior to consultation, should any changes be agreed during the course of the meeting.

Licensing Officers, WRS had met with the Bromsgrove Centres Manager, whereby the possibility of including Street Trading Consents

for one day events or pop up events (one and or two day events) should be included in the policy. There had been a number of community focused events in the District and it was felt unreasonable that Street Traders, who wanted to trade at these community focused events should have to pay the full cost of a Street Trading Consent, which was normally granted for a for 12 months.

A shorter duration other than 12 months could be considered but one / two day consents were not specifically referred to in the current policy, or any reference to reduced application costs for such community focused events.

Officers further referred to the Disclosure and Barring Service (DBS) checks and if signing up to the DBS Update Service Check should be included in the policy.

Members debated this and having debated the idea, felt that whilst this was a great idea, officers had previously stated that DBS checks could take anywhere between three to twelve weeks to be processed, so the DBS check may not be received in time for the applicant(s) to street trade at a community event. This would also create additional work for Licensing Officers who would have to recheck the DBS Update Service every six months.

Members also queried as to why applications could not be considered from anyone under 17 years of age, and restrictions on any assistants that successful applicants might employ. Officers clarified that there was specific legislation regulating the employment of young people, and the hours and type of work they could carry out / be employed for. Members agreed that information relating to the employment of young people should be referred to in the revised policy.

Members raised a query with regard to children putting up stalls outside of their homes to raise money for charity, was this considered Street Trading? And what would happen if any complaints were received from neighbours?

Officers stated that it was considered Street Trading, however a Street Trading Consent could only be issued to over 17 year olds. Officers would have to investigate any complaints received.

In response to further questions from Members, officers confirmed that Worcestershire County Council (Highways) were consulted with on Street Trading Applications, as detailed on page 18 of the main agenda pack – 3.3 Processing an Application.

Members further asked that should the community focused events / market days be cancelled due to severe weather conditions, were traders reimbursed?

Officers stated that refunds were not issued for closures due to severe weather conditions.

Members also asked in the shopkeepers saw the market / street traders as competition, if they were selling similar goods?

Officers briefly referred to the Markets Charter, and the Council also had Market Regulations. Market stall holders and street traders could not operate near a 'like by' shop premises.

Members queried the following, in section 3.7 – Key Considerations –

'the proposed consent holder is not considered to be a suitable person to be granted a street trading consent for any reason.'

Could officers include any further definition, in the revised policy, as to the reasons why a proposed consent holder may not considered to be a suitable person to be granted a street trading consent.

**RESOLVED** that

- a) the Street Trading Policy be revised to include the comments and amendments as discussed in the preamble above, and
- b) the revised Street Trading Policy be brought back to the next meeting of the Committee for Member consideration, prior to consultation.

22/25

### **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE APPLICATION PROCESS**

The Licensing and Support Services Manager, Worcestershire Regulatory Services (WRS) reminded the Committee as to the reasons why this report was being presented to the Committee.

At the Licensing Committee meeting held on 10<sup>th</sup> November 2025 Members had asked for reassurance that officers were carrying out all of the necessary checks required for taxi licensing in a timely manner since the introduction of the new Government's Statutory Taxi and Private Hire Vehicle Standards guidance in 2022, with particular emphasis on the Disclosure and Barring Service (DBS) processing and checking through the renewals process.

This report was to inform Committee Members and to provide reassurance that the process for Hackney Carriage and Private Hire driver licences had evolved since the implementation of the requirements set out in the Government's Statutory Taxi and Private Hire Vehicle Standards guidance in 2022.

The Council's Hackney Carriage and Private Hire Licensing Policy, as detailed at Appendix 1 to the report, set out the criteria that any applicant must meet in order to obtain a driver licence. The policy relating to driver

licences was in accordance with the Government's Statutory Taxi and Private Hire Vehicle Standards guidance 2022.

As part of a recent internal monitoring the licensing team had acknowledged that the requirements set out in the Government's Statutory Taxi and Private Hire Vehicle Standards guidance 2022, had clearly strengthened safeguarding checks and internal procedures. As a result, there had been a domino effect of extra officer checks being undertaken by the licensing team.

There were three key items when carrying out such checks, as referred to in the report:-

- DBS certificate
- Worcestershire Taxi and Private Hire Competency Certificate
- National Register of Revocations and Refusals (NR3 register)

With regards to drivers having to sign up to the DBS Update Service, any driver refusing to sign up to the DBS Update Service would be brought before a Licensing Sub-Committee. A new licence would not be issued without a licensing officer seeing a current DBS certificate. Officers wanted to further reassure Committee Members that they did carry out a lot of checks and chasing of drivers and new applicants.

In response to questions on who the onus was with regarding DBS information, the Licensing and Support Services Manager, WRS stated that the onus was on the driver to notify licensing officers of any changes to their DBS certificate. Officers carried out six monthly checks on the DBS Update Service, but as highlighted in the Councils' Hackney Carriage and Private Hire Licensing Policy – Change of Circumstances B.11, the onus was on the driver, as detailed in the policy:-

'A licence holder must notify the licensing authority as soon as reasonably practicable and within no more than 48 hours in any of the following circumstances:

- if they been arrested or charged by the police in relation to any offence (including motoring offences)
- if they receive a conviction, caution or fixed penalty in relation to any offence (including motoring offences)

The Licensing and Support Services Manager, WRS responded to further questions with regard to the policy, section 3.5.6 vehicles licensed by other local authorities, in that the Council would not issue a licence in respect of a vehicle that was already licensed by another local authority to be used as either a hackney carriage or private hire vehicle. Members queried as to how would licensing officers know if an applicant was or had been licensed by another local authority?

Members were informed that the application form included a question on being licenced by another authority:-

'Do you hold a hackney carriage or private hire vehicle driver licence with another licensing authority?'

Plus, on the National Register of Revocations and Refusals (NR3 register), applicants and licence holders were required to disclose if they held or had previously held a licence with another authority. The applicant was also required to disclose if they had had an application for a licence refused, or a licence revoked or suspended by any other Licensing Authority.

Members further questioned as to how it was determined that an applicant / driver was not a 'fit and proper' test to hold such a licence.

The Licensing and Support Services Manager, Worcestershire Regulatory Services (WRS) stated that their DBS Certificate or the DBS Update Service would alert officers, as would the NR3 register. Also, licensing officers carried out 6 monthly status checks on all licensed drivers.

If these check revealed that there was new information held against the licence holder, the information would be considered in line with the 'fit and proper' test, and the licence would be reviewed by a licensing officer. In most instances any new information on their record was likely to be referred to the Licensing Sub-Committee for consideration.

If when conducting the 6 monthly checks the licensing team found that a driver had fallen off the DBS Update Service, the licensing team would contact the licence holder to ensure that the matter was rectified. Where the licence holder had fallen off the Update Service, a new DBS certificate must be applied for.

If the licensing team find that a driver has fallen off the DBS Update Service and they were, either unable to make contact with the licence holder or the licence holder refused or delayed to re-subscribe to the DBS Update Service; the matter would be brought before the Licensing Sub-Committee for consideration.

Members were further reassured that in the interest of public safety; licensing officers could suspend or revoke a licence with immediate effect, should the circumstances be serious enough to do so. Officers would ensure that the driver's licence, badge and licence plate were seized.

With regards to the requirement that licensed drivers had first aid kits in their vehicles, Members were further reassured that the Worcestershire Taxi and Private Hire Competency Certificate covered first aid training.

Further debate followed on the number of licensed Hackney Carriages and Private Hire vehicles in the district, with the number decreasing over the years. Members asked officers if they had any concerns and if the current taxi service was sufficient to meet the needs of the District?

The Licensing and Support Services Manager, Worcestershire Regulatory Services (WRS) stated that officers had current information to hand on the Council's Hackney Carriage and Private Hire Fleet. The Chairman asked officers to provide Licensing Committee Members with this information (via email) after the meeting.

The Licensing and Support Services Manager, Worcestershire Regulatory Services (WRS) stated that policies within other Districts were very similar with having to meet the Government's Statutory Taxi and Private Hire Vehicle Standards. Other areas had also seen numbers reduce, with drivers not wanting to work evenings and with the competition from Uber. However, officers did not have any concerns, as no complaints had been received by WRS with regards to members of the public being unable to get a taxi in the District.

Members asked who investigated complaints against licensed drivers and who took any necessary action?

The Licensing and Support Services Manager, Worcestershire Regulatory Services (WRS) explained that WRS had a complaints policy and depending on the nature of the complaint / the actual complaint or an accumulation of complaints, these would be dealt with by licensing officers or referred to a meeting of the Licensing Sub-Committee if needed.

Members commented that the Council's Hackney Carriage and Private Hire Licensing Policy had a number of areas where information was duplicated. Was it possible for officer to amalgamate these areas in order to make the policy more reader friendly?

**RESOLVED** that the contents of the report be noted, and that

- a) the Hackney Carriage and Private Hire Licensing Policy – sections that contain duplicate information be amalgamated in order to make the policy easier to read, and
- b) the amalgamated areas to be highlighted, and a verbal update on the amalgamated areas and a copy of the amalgamated policy to be provided to Licensing Committee Members (for noting) at the next meeting of the Committee on 20<sup>th</sup> July 2026.

Members received an information report on the Hackney Carriage and Private Hire Licence Renewal Upper Age Limits.

The Principal Officer (Licensing), Worcestershire Regulatory Services (WRS) presented the report.

Members were reminded that the Committee had previously queried the number of applications received for hackney carriage and private hire licences which fell outside of the Council's current Hackney Carriage and Private Hire Licensing Policy in terms of vehicle age limits. Members had asked if the hackney carriage and private hire vehicle age restrictions should be increased.

The Council's current hackney carriage and private hire vehicle age requirements for both new and renewal licence applications were set out in section 3.0 to 3.4 of the current Hackney Carriage and Private Hire Licensing Policy, Appendix 1 to the report.

At the Licensing Committee meeting held on 10<sup>th</sup> November 2025, Members had requested that an information report be presented to the Committee in order for Committee Members to consider whether the current policy around the upper vehicle age limits was suitable and functional.

Members had raised some concern that a high proportion of vehicles were being presented to Licensing Sub-Committee meetings; and were subsequently being granted a licence due to their vehicles being of an exceptional standard.

Members were informed that, as detailed in the report, hackney carriage and private hire vehicle licences may be issued to vehicles that fell outside of the vehicle age policy providing that the vehicle presented was of an 'exceptional standard.'

In the past 3 years between February 2023 and February 2026, the Council had received and considered 11 applications to licence a vehicle outside of the vehicle age policy. This number compared to other districts across Worcestershire was relatively small.

The Principal Officer (Licensing) WRS, drew Members' attention to paragraph 3.3 of the report (page 4 of the Supplementary Agenda Pack) (with regard to applications received and subsequently granted by Licensing Sub-Committee Members), the report detailed that:-

'All of the 11 applications considered were in relation to hackney carriage vehicles, and all were granted.'

Members were informed that not all 11 applications were granted. 1 application was refused and went to an appeal, but it did not proceed as the appellant withdraw his appeal.

At the time of writing this report, the total number of licensed vehicles on the Council's taxi fleet was 89, which consisted of 80 hackney carriage vehicles and 9 private hire vehicles.

It was difficult to predict how many applications might be made in 2026 requesting for a vehicle licence to be granted outside of age policy. However, records held indicated that of the 89 currently licensed vehicles, only three vehicles would be eligible to apply.

Officers had carried out a benchmarking exercise, setting out comparable vehicle age limits with neighbouring local authorities within and bordering Worcestershire, as detailed at Appendix 2 to the report.

The Principal Officer (Licensing), WRS, reminded Members that should they wish to change Sections 3.4.2 and 3.11.0 of the Council's Hackney Carriage and Private Hire Licensing Policy, then a consultation would have to be carried out with the relevant consultees.

In response the Chairman commented that the number of such applications presented to Licensing Sub-Committee meetings, was not as onerous as Members had thought they were.

Members briefly discussed other authorities criteria's and age restrictions and noted that some authorities would only licence brand new vehicles, as detailed in Appendix 2 to the report.

Members also queried if the costs (fees) had any impact. In response the Principal Officer (Licensing), WRS, stated that Wychavon District Council had the lowest fees, but fees charged did not actually have any impact.

The Principal Officer (Licensing), WRS further responded to questions from Members with regards to Uber, who Members were informed were an operator like any other operator. Local authorities could apply to work with Uber, Bromsgrove District Council had requested to do this, however, Uber did not accept the Council's request.

It was highlighted to Members that since deregulation was introduced, cross border working had had an impact on local taxi drivers.

**RESOLVED** that the information report on Hackney Carriage and Private Hire Licensing Policy review – Requirements as to the age of a vehicle upon renewal of licence, be noted.

24/25

### **LICENSING COMMITTEE WORK PROGRAMME 2025/2026**

The Committee considered the Licensing Committee Work Programme for 2025/26.

Following on from the items discussed during the course of the meeting, it was agreed that the Licensing Committee Work Programme for the new municipal year 2026/2027 be updated as follows:-

- a) Street Trading Policy – draft, revised policy to be considered by the Committee, prior to consultation at the Licensing Committee meeting on 20<sup>th</sup> July 2026.
- b) Hackney Carriage and Private Hire Licensing Policy – sections that contained duplicate information to be amalgamated in order to make the policy easier to read. The amalgamated areas to be highlighted, and the policy to be provided to Licensing Committee Members at the next meeting on 20<sup>th</sup> July 2026.
- c) The Democratic Services Officer to check when the last review of Hackney Carriage taxi stands in District were last reviewed and depending on the time of such a review, if a further review of Hackney Carriage taxi stands in the District should be included on the Work Programme.

**RESOLVED** that the Licensing Committee Work Programme 2026/2027, be updated to include the items as detailed in the preamble above.

25/25

**TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROCUREMENT SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING**

There was no urgent business on this occasion.

The meeting closed at 7.24 p.m.

Chairman