



Licensing Committee Agenda

Wyre Borough Council
Date of Publication: 20 April 2021
Please ask for : Marianne Unwin
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**Licensing Committee meeting on Thursday, 29 April 2021 at 6.00 pm,
remote access via WebEx.**

**Members of the public will be able to view the meeting via Wyre
Council's YouTube Page (<https://www.youtube.com/WyreCouncil>).**

1. Apologies

2. Declarations of Interest

Members will disclose any pecuniary and any other significant interests they may have in relation to the matters under consideration.

3. Confirmation of minutes

(Pages 3 - 10)

To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 25 February 2021 and the minutes of the Licensing Sub-Committee held on 15 April 2021 (Sub-Committee members only).

4. Exclusion of the public and press

In accordance with Paragraph 11 of the Access to Information Rules in Part 4 of the Council's Constitution, the Chief Executive has determined that the report submitted under item 5 of this agenda is "Not for Publication" because it contains "exempt information", as defined in Schedule 12A of the Local Government Act 1972.

If the Committee agrees that the public and press should be excluded for this item, it will need to pass the following resolution:

"That the public and press be excluded from the meeting whilst agenda item 5 be considered, as it refers to exempt information as defined in category 1 (information relating to any individual) of Part 1 of Schedule 12(a) of the Local Government Act, 1972, as amended by the Local Government (Access to Information) Variation Order 2006 and, that the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

5. New applicant for a Wyre dual driver's licence with recent convictions

(Pages 11 - 26)

Report of the Corporate Director Environment.



Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Thursday, 25 February 2021 via WebEx. Members of the public were able to attend the meeting via YouTube.

Licensing Committee members present:

Councillors Robinson, Cartridge, Armstrong, Sir R Atkins, Baxter, C Birch, Collinson, George, Leech, Smith, S Turner, Matthew Vincent, A Turner and Williams

Officers present:

Niky Barrett, Senior Licensing Officer
Mary Grimshaw, Legal Services Manager and Deputy Monitoring Officer
Duncan Jowitt, Democratic Services Officer
Marianne Unwin, Assistant Democratic Services Officer

16 Apologies for absence

None.

17 Declarations of Interest

None.

18 Confirmation of minutes

The minutes of the meeting of the Licensing Committee held on 24 September 2020 were confirmed as a correct record.

The minutes of the meeting of the Licensing Sub-Committee held on 13 October 2020 were confirmed as a correct record.

19 Statutory Taxi and Private Hire Vehicle Standards

Before the formal proceedings of the agenda, the Chair allowed Councillor Sir Robert Atkins to speak to members. He stressed the importance of Climate Change and asked the committee to consider a Taxi Licensing Fees Incentive to encourage more hybrid and electric vehicles into the fleets.

He thanked the Chair for allowing him to speak.

The Corporate Director Environment submitted a report to inform members of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards which necessitated a full review of Wyre Council's current Hackney Carriage and Private Hire Licensing Policy.

The Senior Licensing Officer, Niky Barrett, introduced the report to members.

She explained that both the Hackney Carriages and Private Hire vehicles within the Borough were still being licensed under relatively old legislation. She stated that the purpose of this report highlights the main recommendations from the July 2021 Statutory Standards document and that it pointed out where Wyre's policies and practices currently differ.

It was **agreed** that the Committee would note the report.

20 Hackney Carriage and Private Hire Licensing Policy Review

(a) Draft Hackney Carriage and Private Hire Licensing Policy V06

The Corporate Director Environment submitted a report that included a draft revised Hackney Carriage and Private Hire Licensing Policy.

The Senior Licensing Officer, Niky Barrett, presented the report to committee.

The Senior Licensing Officer explained that the majority of the amendments included in the report were necessary to reflect the recommendations, highlighted in yellow (in the agenda pack), contained in the DfT's Statutory Standards document. The draft policy also contained several amendments, highlighted in blue (in the agenda pack), that addressed local changes and emerging issues. She stated that the proposed introduction of emissions limits, which reflect the standards used in London's Low Emission's Zones, would have cost implications for the trade when purchasing replacement vehicles.

Niky Barrett updated members that the public consultation with the trade and other stakeholders had been scheduled between 8 March 2021 and 1 May 2021 and the responses would be collated and presented back to committee at a suitable meeting in either May or June 2021.

The Senior Licensing Officer asked members to provide any amendments to the policy or to agree to the policy as it currently stood.

Mrs Barrett responded to questions proposed by members, which surrounded the following topics:

- Monetary incentives to increase the introduction of electric and hybrid vehicles in the existing fleets

- Mandatory CCTV in vehicles
- Advertising Standards
- Vehicle age policies

Councillor Sir Robert Atkins gave his apologies and expressed that he needed to leave during this item (5) as he was required to Chair another meeting.

Following discussions, it was **agreed** that:

1. The Licencing Committee agreed the draft Hackney Carriage and Private Hire Licensing Policy.
2. That the Senior Licensing Officer would begin an eight-week consultation with the trade and other relevant persons on the draft policy.
3. The outcome of the consultation to be reported back to the Committee in due course, to consider all the responses and whether it is appropriate to amend the draft policy, before adopting it.

21 **Unmet Demand Survey**

The Corporate Director Environment produced a report to consider the timing and format of the next Unmet Demand Survey.

The Senior Licensing Officer, Niky Barrett, acquainted the report to members and explained that every three years Wyre carried out a survey in order to establish if there were any unmet demand for Hackney Carriages that would necessitate reviewing the current restrictions on Hackney Carriage vehicle licence numbers, in line with the Best Practice guidance.

She proceeded to explain to members that the survey focused on activity levels and waiting times at ranks, but due to the recent and on-going COVID-19 pandemic, passenger numbers and demand had significantly dropped.

She asked members to consider whether it is appropriate to either delay the survey until next summer, by which time there should be a better understanding of recovery from the pandemic, or to commission some alternative research offered by LVSA.

The Senior Licensing Officer answered member's queries on the following areas:

- Disability access in Wyre's licensed vehicles
- The introduction of larger hybrid vehicles
- The dates of the survey

After some discussions, the Committee **agreed** to postpone the full rank Unmet Demand Survey until 2022.

The Chair concluded the meeting by thanking all who were in attendance.

The meeting started at 6.11 pm and finished at 6.51 pm.

Date of Publication: 02 March 2021.



Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Thursday, 15 April 2021 Via WebEx.

Members of the public will be able to view the meeting via Wyre Council's YouTube page. (<https://www.youtube.com/user/WyreCouncil/>)

Licensing Committee members present:

Councillors Cartridge, Matthew Vincent and Williams

Officers present:

Marianne Unwin, Assistant Democratic Services Officer

Mary Grimshaw, Legal Services Manager and Deputy Monitoring Officer

Niky Barrett, Senior Licensing Officer

Duncan Jowitt, Democratic Services Officer

22 **Declarations of Interest**

None.

23 **Confirmation of minutes**

Deferred to the next Full Licensing Committee meeting.

24 **Application for a new Premises Licence – Wyreside Hall, Wagon Road, Dolphinholme, LA2 9DH**

The Corporate Director Environment submitted a report to provide members of the Licensing Sub-Committee with information to assist them to determine an application under section 17 of the Licensing Act 2003 by Wyreside Leisure Ltd, for a new premises licence.

The Sub-Committee agreed to proceed with the hearing in the absence of the objectors.

The Senior Licensing Officer introduced the report and explained that this matter was before the Sub-Committee as the applicant is seeking permission to sell alcohol for consumption on and off the premises, and provide live and recorded music both indoors and outdoors between 7 am and 1:30 am each day of the week. She did note that the application stated that outside live

music would cease by 11 pm. In addition, the application allowed a 30-minute interval to allow for 'drinking up time'; therefore meaning the premise would close at 2 am.

The Senior Licensing Officer explained that the application had received nine representations in objection, relating primarily to planning issues for the attention of the Planning Department, but there were also concerns over potential nuisance caused from late night functions. There were also six representations received that were in support of the application.

The Senior Licensing Officer stated that, following discussions with Environmental Health Officers and Police Service, during the consultation period, the applicant had agreed to a number of additional conditions to be included in the operating schedule if the license was granted.

The Sub-Committee considered the following documents:

- The report of the Corporate Director Environment,
- Additional information submitted by the applicants following the original publication of the agenda.

The Sub-Committee also heard oral evidence by video link from both parties (Mr Stephen Hinde and Ms Rosemary Hudson) of the application.

Members asked the applicants for employment figures and internal capacity numbers.

Members then considered the application in a private session. The Licensing Sub-Committee then reconvened and the Chairman announced the Sub-Committee's decision, as below.

Decision

After due deliberation, the Sub-Committee decided to **grant** the premises license, subject to such conditions that the authority considers appropriate for the promotion of the licensing objectives.

Reasons for the decision

In reaching its decision, the Sub-Committee took account of the following:

- The Council's own Statement of Licensing Policy. The following paragraphs are particularly relevant to this application 7.1 Planning, 9.3 Conditions imposed at a hearing and 13.3 Prevention of public nuisance
- The Statutory Guidance issued under section 182 of the Licensing Act 2003 and in particular the following sections: 9.1, 9.3, 9.4, 9.37-9.40, 9.42-9.44 and 10.8-10.10.
- All the representations.

The Licensing Sub-Committee considered that the granting of the license, subject to the additional conditions outlined by the Police Service and Environmental Health, was appropriate for the promotion of the licensing objectives and would adequately address the concerns referred to in the objections regarding the prevention of disorder and public nuisance.

The meeting started at 6.08 pm and finished at 6.48 pm.

Date of Publication: 20 April 2021.

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