



Licensing Committee Agenda

Wyre Borough Council
Date of Publication: 15 November 2022
Please ask for : Daphne Courtenage
Assistant Democratic Services Officer
Tel: 01253 887476

Licensing Committee meeting on Tuesday, 22 November 2022 at 6.00 pm in the Council Chamber - Civic Centre, Poulton-le-Fylde

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 - 8)

To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 28 June 2022.

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Council's Constitution, the Chief Executive has determined that the report submitted under item 5 of this agenda is "Not for Publication" because it contains "exempt information", as defined in Schedule 12A of the Local Government Act 1972.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. Application for the review of a Premises License

(Pages 9 - 100)

Report of the Corporate Director Environment.



Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Tuesday, 28 June 2022 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillors Baxter, Beavers, Cartridge, P Ellison, Leech, Smith, S Turner and Matthew Vincent

Apologies for absence:

Councillors George and A Turner

Other councillors present:

None.

Failure to attend:

Councillors C Birch, A Vincent and Williams.

Officers present:

Daphne Courtenage, Assistant Democratic Services Officer
Patrick Cantley, Senior Licensing Officer
Mandy Seddon, Manager of Food, health & Safety and Licensing
Mary Grimshaw, Head of Legal Services (and Monitoring Officer)

No members of the public or press attended the meeting.

7 Declarations of Interest

None.

8 Confirmation of minutes

The minutes of the meeting of the Licensing Committee held on the 24 May 2022 were **approved** as a correct record.

9 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 had determined that the reports submitted under item 5 of this agenda were "Not for Publication" because they contained "exempt information", as defined in Schedule 12A of

the Local Government Act 1972.

The Committee passed the following resolution: "That the public and press be excluded from the meeting whilst agenda item 5 was being considered, as it referred 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 outweighed the public interest in disclosing the information.

10 New applicant for a Wyre Dual driver's license with historic driving convictions

The Corporate Director Environment submitted a report to provide members of the Licensing Committee with information to assist them in their decision making process at the hearing.

The applicant, as well as a character witness, were both present at the hearing.

The Senior Licensing Officer introduced the report to the committee.

Members received representations from the applicant.

Members asked questions of the applicant.

Following questions, the applicant, their character witness, the Senior Licensing Officer and the Manager of Food, health & Safety and Licensing left the room whilst the committee members considered the decision.

In reaching its decision the committee had regard to:
Sections 51(1)(a), 53(1)(a),(b) and 59(1)(a) of Part II of the Local Government (Miscellaneous Provisions) Act 1976
The Wyre Council Hackney Carriage and Private Hire Licensing Policy on Convictions (including Section 1.14 and 1.15 on departure from policy) and other relevant matters

The applicant and his solicitor, the Senior Licensing Officer and the Senior Licensing Enforcement Officer were brought back into the room and the Licensing Committee reconvened and the Chair announced the committee's decision.

Decision

The Committee resolved not to grant a three year dual driver's license.

Reasons for the decision

The Committee was not satisfied that the applicant was a fit and proper person to hold a Wyre dual driver's licence. The Committee found that departure from the Council's policies was not justified in all the circumstances of this case.

Full reasons for the decision would be sent to the applicant.

11 Proposal for the variation of Hackney Carriage Fares within Wyre Borough

The Corporate Director Environment submitted a report regarding the issue of the variation of Hackney Carriage Fares within Wyre Borough. The purpose of the report was to provide members with information to assist them in considering the proposal from members of the trade for a variation in the maximum fares which may be charged by hackney carriages licensed by Wyre Council.

There were four representatives of the Wyre Hackney Carriage Association in attendance.

The Senior Licensing Officer introduced the report. He explained to members that they were being asked to consider the various options presented of which option 3 was preferred by the Wyre Hackney Carriage Association. If an option were to be recommended for approval, or recommended with amendments, it would be considered by the Council's executive and, if approved, would be publicly advertised, as stated in paragraphs 4.3 and 4.4 of the report.

Members asked questions of the officer, including whether electric/hybrid vehicles would be included in the proposal.

The four representatives of the Association spoke to the committee. They also represented the main hackney carriage companies in the borough.

Members asked the representatives whether they foresaw another rise in fares in the future, to which the representatives responded that they would not expect another rise for some time, but that this rise was important due to the unexpected price increases on petrol. Members also asked whether they had completed any further socio-economic analysis when drafting their proposal, and how it would impact on their business.

Following questions, the representatives, the Senior Licensing Officer and the Manager for Food, Health & Safety and Licensing left the room whilst the committee members considered the decision.

Decision

Having considered the existing fares and the options in the report, the Committee supported Option 3 and accordingly resolved to recommend to the Council's executive that the Hackney Carriage table of fares be amended as follows:

Hackney Carriage Fares - Wyre Borough

Local Government (Miscellaneous Provisions) Act 1976. Section 65

Scale of maximum charges fixed by Wyre Borough Council with respect to Hackney Carriages in the Borough to operate from:

NOTE: Tariff 2 applies to hiring's on Monday to Thursday inclusive between 21:00hrs and 00:00hrs, 19.00hrs Friday until 0.00hrs Saturday morning, 06.00hrs Saturday morning until 0.00hrs Sunday morning, 06.00hrs Sunday morning until 0.00hrs Monday morning. 06.00 - 07.00hrs Monday to Friday mornings. All day on Statutory Holidays and Bank Holidays.

Tariff 3 applies 00.00hrs - 06.00hrs Monday to Sunday. (Tariff 2 plus 60 pence)

Tariff 4 (Xmas & New Year) applies between 18.00hrs of 24^s December to 07.00hrs on 27th December and between 18.00hrs on 31st December to 07.00hrs on 2nd January. (Tariff 2 + £3.00)

Tariff 1 applies at all other times.

(a) Mileage

Tariff 1: £3.10 for the first 340 meters or uncompleted part thereof.

20p for each subsequent 165 meters or uncompleted part thereof.

Tariff 2: £3.30 for the first 260 meters or uncompleted part thereof

20p for each subsequent 130 meters or uncompleted part thereof.

(b) Waiting Time

Tariff 1 / Tariff 2

For each period of seconds or uncompleted part thereof 20p per - 35 sec 30 sec

(c) Extra Charges

For each article of luggage conveyed outside the passenger compartment of the carriage or for each perambulator carried.	£0.30	£0.30
--	-------	-------

For each passenger in excess of one (two children between the ages of 3 years and 12 years to be counted as one). Younger children not to be reckoned.	£0.30	£0.30
--	-------	-------

For each dog carried. (No charge for assistance dogs)	£0.30	£0.30
--	-------	-------

Cleaning charge arising from the withdrawal of the vehicle due to passenger	£50.00	£50.00
---	--------	--------

(d) Fuel Surcharge

If the cost of diesel reaches £1.80 per litre or higher, based on prices at Morrisons Fuel Station, Amounderness Way, Cleveleys, a 30pence surcharge is allowed per journey. A further 30 pence surcharge is allowed for every subsequent 20 pence increase in the price of fuel. This surcharge is allowed if the vehicle is powered by a fuel alternative to diesel at that time.

Reasons for the decision

The Committee noted that the last amendments to the table of fares were made in 2018 and considered it appropriate, given the current situation regarding petrol price increases and the overall cost of living crisis, that the fares for hackney carriages be increased and considered that the suggested level of change was proportionate having regard to all the circumstances including community safety and access for those with a disability. This option would also more closely align Wyre's fares with other neighbouring licensing authorities.

The meeting started at 6.01 pm and finished at 7.15 pm.

Date of Publication: 13 July 2022

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank