

## Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Thursday, 25 January 2018 at the Civic Centre, Poulton-le-Fylde.

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### **Licensing Committee members present:**

Councillors Marge Anderton, Colette Birch, Simon Bridge, Sue Catterall, Terry Lees, Patsy Ormrod, Sue Pimbley, Julie Robinson, Christine Smith, Ann Turner, Matthew Vincent, Lynn Walmsley and Val Wilson

### **Apologies:**

Councillor(s) Brian Stephenson

### **Officers present:**

Niky Barrett, Licensing Manager  
Mary Grimshaw, Senior Solicitor and Deputy Monitoring Officer  
Carole Leary, Democratic Services Officer

**Non-members present:** None.

### **Members of the public present:**

Mr J (Applicant), accompanied by Mr B for Item 6 only.

No Members of the Press were present.

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#### **41        Declarations of Interest**

None.

#### **42        Confirmation of minutes**

The minutes of the Licensing Committee meetings held on 30 November 2017 and 6 December 2017, were both confirmed as correct records.

#### **43        Taxi Licensing and Enforcement Policy Review**

The Service Director Health and Wellbeing submitted the draft Hackney Carriage and Private Hire Licensing Policy to members for amendment and/or approval, before beginning a formal six week consultation period.

The Licensing Manager introduced the report.

The report outlined the background to the current policy which has been in place for many years and has only been subject to minor revisions over the last decade.

Members were aware of several high profile child abuse cases, which resulted in a number of local licensing authorities being criticised for taking a too lenient approach to the fit and proper test for licensed drivers.

A complete re-write of the Council's policy has been undertaken, bringing it up to date and ensuring that the approach adopted by the Council in the respect of taxi licensing prioritises public safety and remains fit for its purpose.

The report highlighted some of the key issues and proposals within the policy and confirmed that following its adoption, members and officers will have regard to it when determining private hire and hackney carriage applications. It also acknowledged that the policy is not immutable and that every case will be considered on its own merits.

The Committee Members discussed the report and unanimously voted that the resolution be passed.

**RESOLVED** that:-

- The Licensing Committee agree the draft Licensing Policy.
- That the Senior Licensing Officer undertakes a six week consultation with the trade and other relevant persons on the draft policy.
- That the Senior Licensing Officer and the Chairman, consider all the responses received and where it's appropriate, amend the draft policy, and present it to the March Licensing Committee meeting, with an adoption date from 1 April 2018.

#### **44 Exclusion of the Public and Press**

**RESOLVED** that the public and press be excluded from the meeting whilst agenda item 6 is being considered, because 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 exemptions outweighed the public interest in disclosing the information.

#### **45 New applicant for a Wyre dual driver licence with a current motoring conviction and spent criminal convictions**

The Service Director Health and Wellbeing submitted a report to provide members of the Licensing Committee with information to assist them at a hearing. An additional letter of support for the applicant, which had been received after the agenda had been published, was handed out to the

Committee.

Mr J was present at the meeting, supported by a friend, but he was not legally represented.

The Licensing Manager introduced the report.

Mr J spoke to the Committee, explaining the circumstances of his spent convictions (February 1997 being the last) as referred to in the report with regard to his past conduct.

Members and the Licensing Manager asked questions of Mr J, and he provided explanations of the incidents then and up to the present date.

Mr J, Mr B and the Licensing Manager then left the room whilst the Committee Members considered the application in closed session. The Licensing Committee then reconvened and the Chairman announced the Committee's decision to everyone.

**RESOLVED** that Mr J be granted a one year Wyre dual driver's licence without any further conditions.

The reasons for the decision were:

The Committee noted the convictions, but had regard to the fact that the last conviction was more than 20 years ago. It accepted Mr J's explanation and assurance that such criminal conduct was in the past. The Committee were however, mindful of the recent motoring offence which resulted in a 28 day disqualification and so considered Mr J to be a fit and proper person to hold just a one year Wyre Council dual driver's licence.

The meeting started at 6.07 pm and finished at 6.45 pm.

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