

Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Wednesday, 19 December 2018 at the Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillors C Birch, Cartridge, Catterall, Gibson, Robinson, A Turner, S Turner, Matthew Vincent, Walmsley and Wilson

Apologies for absence:

Councillor(s) Barrowclough, Lees, Ormrod and Smith

Other councillors present:

None.

Officers present:

Niky Barrett – Senior Licensing Officer
Mary Grimshaw – Legal Services Manager
Carole Leary – Democratic Services Officer

Members of the public present:

The Taxi Driver, accompanied by a Director of the Taxi firm.

No members of the public or press attended the meeting.

44 Declarations of Interest

None.

45 Confirmation of Minutes

The minutes of the Licensing Committee meeting, held on 29 November 2018, were confirmed as a correct record.

46 Exclusion of the Public and Press

RESOLVED That the public and press be excluded from the meeting whilst agenda item 5 was being considered, because 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 exemptions outweighs the public interest

in disclosing the information.

47 Complaint about a licensed Wyre dual driver licence holder

The Service Director Health and Wellbeing submitted a report to provide members of the Licensing Committee with information to assist them at a hearing.

The Wyre Council Licensed Driver was present at the meeting and was supported by a Director of the taxi firm he works for, but he was not legally represented.

Additional paperwork had been received during the day, just prior to the meeting, which was circulated to Members of the Committee.

The Senior Licensing Officer introduced the report and then everyone present reviewed the CCTV footage.

The Taxi Driver spoke to the Committee, explaining his version of the circumstances of the incident and provided an account of what took place that afternoon, as referred to within the report.

The Taxi Driver answered questions from the Members. The Director of the taxi firm employing the Taxi Driver also spoke in support and answered questions from the Members.

The Taxi Driver, the Director and the Senior Licensing Officer left the room whilst the Committee Members considered all the facts of the case.

The Taxi Driver, the Director and the Senior Licensing Officer were brought back into the room and the Licensing Committee reconvened and the Chairman announced the Committee's decision to everyone.

RESOLVED that the Licensed Wyre Dual Driver is eligible to hold a Wyre Council Dual Driver's Licence, but that his licence is to be suspended for one month.

The reasons for the decision were:

After considering all the evidence before it, the Committee found that the driver's behaviour was unacceptable. The Committee's overriding aim is to protect the safety of the public and the Committee considered that the driver had been aggressive and hot – tempered and had not acted in a befitting manner for someone employed as a taxi driver. The Committee having had regard to the legislation and its policy considered that a short suspension of one month was both reasonable and proportionate in the circumstances. A decision letter setting out the Committee's reasons and right of appeal would be sent to the driver.

The meeting started at 6.33 pm and finished at 7.50 pm.

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