

Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Tuesday, 22 February 2022 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillors Robinson, Cartridge, Baxter, C Birch, Leech, S Turner, Matthew Vincent, A Turner and Williams

Apologies for absence:

Councillors Cropper, George, Smith and A Vincent

Other councillors present:

None.

Failure to attend:

Councillor Armstrong.

Officers present:

Daphne Courtenage, Assistant Democratic Services Officer
Wayne Clarke, Senior Compliance/Licensing Enforcement Officer
Mary Grimshaw, Legal Services Manager (and Monitoring Officer)
Mandy Seddon, Head of Food, Health & Safety and Licensing

No members of the public or press attended the meeting.

43 Declarations of Interest

None.

44 Confirmation of minutes

The minutes of the meeting of the Licensing Committee held on the 18 January 2022 were **approved** as a correct record.

45 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Council's Constitution, the Chief Executive had determined that the reports submitted under item 5 of this agenda were "Not for Publication" because they contained "exempt information", as defined in Schedule 12A of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.”

46 Application for the review of a Premises Licence

The Corporate Director Environment submitted a report to provide members of the Licensing Committee with information to assist members to determine an application from Lancashire Constabulary, submitted under section 51 of the Licensing Act 2003 (the Act), seeking a review of a premises license.

The responsible authority, Lancashire Constabulary, was represented by Sergeant Nat Cox.

As the owner and Designated Premises Supervisor (DPS) was not in attendance, the Chair asked the committee whether the hearing could continue in their absence. The committee **agreed** to continue with the hearing.

The committee asked questions of the responsible authority representative.

All participants who were not involved in considering the decision were then asked to leave during the committee’s deliberations. Only the members of the committee, the Legal Services Manager and the assistant democratic services officer remained in the room whilst the case was considered.

The Licensing Committee then reconvened and the Chair announced the decision.

Decision:

The committee agreed with the recommendation of the responsible authority to revoke the premises license.

Reasons for the decision:

After considering all of the evidence presented, members were satisfied that one or more of the licensing objectives were being undermined by the operation of these premises, and felt that the appropriate response to the evidence put in front of them was to revoke the premises license.

47 Hackney Carriage and Private Hire Licensing Policy

The Corporate Director Environment submitted a report to discuss the Hackney Carriage and Private Hire Licensing Policy, following a taxi licence hearing on the 18 January 2022 in which the committee asked the officers to review their procedure relating to accidents involving taxi drivers.

The Manager of Food, Health & Safety and Licensing introduced the report. She reminded members that this was a request by the committee following a discussion from the last meeting over the number of accidents a Wyre licensed taxi driver could incur before officers investigated the issue.

She explained to members that this was not a change in policy, as this would be too time consuming given that the new policy was about to take effect; however the policy did already state that history of compliancy would be taken into consideration.

She said to members that this was therefore an improvement in internal procedures, which would strengthen officers' abilities to look at accidents on a case by case basis and within an appropriate timescale, and that staff had already been trained in these procedures, including procedures for accidents declared late or which had not been declared but made aware to the licensing authority.

Members were content with the improvements made to internal policy. The committee voted to **agree** to the new internal licensing authority procedures.

The meeting started at 6.05 pm and finished at 6.36 pm.

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