

## Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Tuesday, 25 June 2024 at the Members Lounge - Civic Centre.

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**Licensing Committee members present:**

Councillors Birch, Ellison, Leigh, Minto, Nicholls, Rushforth and Swift

**Absent- apologies received:**

Councillors Baxter and Moliner

**Absent- apologies not received:**

Councillors Smith, B Stephenson and C Stephenson

**Officers present:**

George Ratcliffe, Democratic Services Officer

Jack Tickle, Democratic Services Officer

Sharon Davies, Senior Solicitor

Catherine Greener, Legal Executive

Mandy Seddon, Manager of Food Health and Safety and Licensing

No members of the public or press attended the meeting.

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**9            Declarations of Interest**

None.

**10          Confirmation of minutes**

The minutes of the meeting of the Licensing Committee held on the 28 May 2024 were **approved** as an accurate record by those in attendance.

**11          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Constitution, the Chief Executive had determined that the report submitted under agenda item 5 of the agenda were "Not for Publication", as defined in schedule 12A of the Local Government Act 1972.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 they referred to exempt information as defined in category 1 (information relating to any individual) Variation Order 2006 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information”.

## **12 New application for a Wyre dual driver's licence**

The Chair introduced the committee and the officers in attendance at the meeting.

The applicant introduced themselves. The Chair ensured that they had received all necessary information and paperwork for the hearing.

Mandy Seddon, Manager of Food, Health & Safety and Licensing, introduced the report. She explained that the applicant was before members to determine whether they were a ‘fit and proper person’ to hold a Wyre Council Dual Driver’s Licence.

The applicant spoke on behalf of themselves. They explained how their registered conviction occurred and the extensive rehabilitation and retraining they had undertaken to become employable within the service industry. The applicant highlighted that they had no further trouble with the law since their conviction and wished to apply for a dual driver’s licence to begin a new career within the taxi industry.

The committee provided several questions and comments which are summarised below:

- Councillor Rushforth asked for clarification on when the applicant’s conviction took place. The applicant confirmed that his prison sentence began in August 2014.
- Councillor Nicholls questioned why the applicant wanted to become a taxi driver when they had qualifications in hospitality and management. The applicant explained that they had lost interest in the industry after the COVID-19 lockdown in 2020 and wanted to begin a stimulating career as a taxi driver.
- The applicant confirmed to the committee that the personal licence they had obtained enabled them to manage a hospitality business.
- It was highlighted that the applicant was currently on universal credit while waiting for employment. If the application for the dual driver’s licence was granted the applicant would gain employment with an identified taxi firm.
- The Chair asked whether the applicant had higher career aspirations beyond taxiing. The applicant explained that a career in taxiing was something that appealed to their higher sense of purpose and self-worth.

The applicant summarised their case.

The applicant and the Manager of Food, Health and Safety left the room to allow the committee to discuss their recommendation in private session. In reaching their decision, the committee considered:

1. The Council's own Hackney Carriage and Private Hire Policy
  2. The Local Government (Miscellaneous Provisions) Act 1976
- The Licensing Committee then reconvened, and the Chair announced the decision.

### Decision

To approve the application for the Wyre Council Dual Driver Licence under sections 51 and 59 of the Local Government Miscellaneous Provisions Act 1976.

Upon reaching the decision, an additional requirement would be that a satisfactory Group 2 medical would need to be obtained from the applicant's General Practitioner for the dual driver's licence to be granted.

On this occasion, the Licensing Committee were persuaded to depart from their policy as more than nine years had elapsed since the completion of the sentence, the applicant had since then engaged in further education leading to a career in the hospitality trade. Furthermore, the applicant demonstrated that they had reflected on their offending behaviour and the impact on their family and would not commit a similar offence in the future.

The meeting started at 6pm and finished at 6.42pm.

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