



Report of:	Meeting	Date	Item No.
Chairman of the Licensing Committee, Cllr Simon Bridge	Council	20 October 2016	9

Licensing Committee: Periodic Report

1. Purpose of report

- 1.1** To inform the Council of the current position on issues dealt with by the Licensing Committee and Licensing team during the period October 2015 to September 2016 (inclusive).

2. Licensing application hearings

The Licensing Committee have met nine times during this reporting period, dealing with a total of 19 items.

2.1 Licensing Act 2003

Three new applications were determined by the Committee as a result of objections by residents during the application representation period. Determinations as follows:-

- The Co-op store, Sandy Lane Preesall - granted as per application;
- The Mirror bar and restaurant, Poulton Road Fleetwood - granted but with reduced hours of operation and conditions attached; and
- The Apple Store Café, Wyresdale Hall, Scorton - granted but with reduced hours of operation and additional conditions attached.

2.2 Taxi/private hire drivers

Seven applicants/drivers were brought before committee during the period covered by this report.

- Two new driver applicants were granted licences by members;
- One new application was refused;
- Members agreed to permit the renewal of two current driver licences, following medical reports; and
- Two drivers were being brought before members at September's meeting (29th) owing to disciplinary issues and questions over their

continuing suitability to be licensed drivers by Wyre Council.

2.3 Licensing Policies

During the period covered by this report two updated policies were considered by the Committee.

Both policies, for The Licensing Act 2003 and The Gambling Act 2005 were subject to a wide consultation process, prior to consideration by Members.

Although changes from the previous versions mainly reflected amendments to legislation, the review of the Licensing Act 2003 policy saw a wholesale re-write. The emphasis now reflects local issues, and has moved away from the previous 'process driven' approach. The inclusion of Wyre key messages also highlights to applicants and operators how this Licensing Authority expects the licensing regime to be approached, in order to promote the licensing objectives in the Wyre area.

Committee members agreed changes and the policies were finally ratified by full council, as legislation requires.

2.4 Gambling Act 2005 applications

Two applications were heard by members for licensed premises who wish to have five gaming machines on the premises. Wyre's Gambling Act 2005 Policy currently permits officer delegation for up to 4, but due to changes in the category of some crane machines (grabbers), this has meant that they are now required to be included on a permit or notification. Both are large premises (Highcross and The Iron Horse) and have a family, food led clientele. Both applications were granted.

3. Licences/permits/registrations issued by the Licensing team in the period covered by this report-October 2015 to September 2016 (inclusive).

3.1 Licensing Act 2003 applications

- 14 New premises licences
- 9 Variations to premises licences
- 14 Minor variations to premises licences
- 111 Personal licences (new and change of address notifications)
- 181 Temporary Event Notices
- 92 Changes to licences (change of Designated Premises Supervisor and/or Premises Licence Holder)

We have received surrender applications for seven premises licences due to closure and there are also approximately nine premises closed but not surrendered.

3.2 General licensing-issued during the period covered by this report (new and renewals)

- 12 Home Boarding establishments
- 15 Boarding establishments
- 8 Pet shops
- 6 Riding establishments
- 10 House to house collection permits
- 11 Street collection permits
- 7 Street traders
- 1 Scrap metal dealers (under the Scrap Metal Dealers Act 2013)
- 2 Second-hand dealers

3.3 Taxi Licensing- issued during the period covered by this report

- 261 Vehicle licences (private hire and hackney carriage)
- 314 Dual driver licences
- 11 Private Hire Operator licences

3.4 Gambling Act 2005- issued during the period covered by this report

- 6 Licensed premises gaming machine permits (3-5 machines)
- 5 Licensed premises gaming machine notifications (up to 2 machines)

4. Licensing activity

4.1 Licensing Act 2003

The five area Pubwatch meetings at Poulton, Thornton-Cleveleys, Garstang, Fleetwood and Over Wyre, continue to be supported by the Anti-Social Behaviour/Licensing Enforcement Officer on a quarterly basis, with police attendance whenever possible.

4.2 General

- 27 Freedom of information requests were received and dealt with. Most popular requests were for animal welfare establishments (boarders, riding schools and zoos) followed by taxis then the Licensing Act 2003.
- The licensing web pages have all been re-designed to give them a more mobile friendly look. This gave us the opportunity to review the relevancy of content and ensure it is re-produced in a user friendly format.
- On-line forms have been developed for most licence types and customers may access a large number of applications through the Gov.uk website, or where forms are not available, a local bespoke format, provided by officers.

4.3 Taxis

4.3.1 Unmet demand survey

Authorities that limit the number of hackney carriages in their area are required by the Office of Fair Trading (OFT), to investigate if the restriction can continue to be justified. In Wyre the number of hackney carriages has been set at 160 for a number of years.

In August, an external transportation specialist (CTS) carried out a survey to ascertain if the limit causes an unmet demand for passengers, the question being; is 160 hackney carriages a sufficient number to serve the needs of the Borough?

CTS consulted with the trade, travelling public and relevant organisations and conducted observations of the activities on a number of key routes in the borough. The lead officer from CTS presented the report findings to members at the October meeting and the survey confirmed that there is no unmet demand for taxis in this Borough. Therefore members voted to continue to limit numbers to 160.

4.3.2 Safeguarding training for drivers

Following the disturbing events in some Local Authority areas, the issue of CSE (Child Sexual Exploitation) and Safeguarding of children and vulnerable adults has become a national priority. It is vital that the taxi trade are aware of the issues to both protect themselves and also the public they convey.

Formal 30 minute presentations have been delivered by a specialist ex-police officer to all current drivers, with the final sessions scheduled for October. In addition all new drivers are required to undertake and pass a safeguarding section as part of the driver knowledge test. Prospective drivers will also be required to view a DVD presentation which provides key messages and includes a video produced by West Yorkshire Constabulary highlighting the story of a young girl affected by CSE. All drivers have/will also receive a booklet that has been produced by Wyre's licensing section containing useful information and contact numbers which they may refer to if they have any concerns about a child or vulnerable adult whilst working.

4.3.3 Nominated garage for vehicle inspections

At the November meeting members agreed to award the two year contract for licensed vehicle inspections to Burn Naze garage, in Thornton. Their application met the criteria and their testing fees present good value for money for the trade. There are no cost implications to the Council, taxi tests are booked directly with the garage and then test certificates sent to the

licensing department where the vehicle licences are issued.

4.3.4 Longer duration for driver licences

The department now issues driver licences for up to a period of three years, as included in the Deregulation Act 2015. To prevent a three yearly peak, licences have been issued on a one year or three yearly basis dependent on when the driver's DBS and medical are due. Annual checks on driver's DVLA information are carried out, to ensure that drivers inform the department of any offences that have been committed during the currency of their licence. Drivers that fail to do so will be dealt with in line with the taxi policy.

4.3.5 Longer duration for private hire operator licences

The Deregulation Act also includes the provision for private hire operator licences to be granted for a period of up to five years and Wyre has implemented this change. Checks are carried out at each premises during the licence period to ensure that licence conditions are being adhered to and accurate records kept.

4.3.6 Taxi newsletter

In May 2016 the licensing team issued the taxi newsletter to all current drivers and private hire operators and proprietors. The newsletter is aimed at providing valid information to the trade, updates on the latest changes to legislation, together with reminders on relevant legalities. This year's issue introduced information on health related topics, including smoking cessation and where advice can be found on dealing with Dementia, an area of concern that can be relevant to drivers and their passengers and/or family members.

Financial and legal implications	
Finance	No financial implications with this report.
Legal	No legal implications with this report.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

report author	telephone no.	email	date
Christa Ferguson Licensing Manager	887476	christa.ferguson@wyre.gov.uk	22/09/16

List of background papers:		
name of document	date	where available for inspection

List of appendices

None

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