



Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Thursday, 16 August 2018 at the Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillors Michael Barrowclough, Colette Birch, Peter Cartridge, Sue Catterall, Terry Lees, Patsy Ormrod, Sue Pimbley, Julie Robinson, Ann Turner and Val Wilson

Apologies:

Councillor(s) Christine Smith, Shaun Turner, Matthew Vincent and Lynn Walmsley

Other councillors present:

None.

Officers present:

Niky Barrett – Licensing Manager
Mary Grimshaw – Senior Solicitor
Mandy Seddon – Manager of Food Health & Safety & Licensing
David Parry – Taxi Licensing Officer
Carole Leary – Democratic Services Officer

Members of the public present:

Wyre Council Taxi Driver for Item 5

No press attended the meeting.

19 Declarations of Interest

None.

20 Confirmation of minutes

The minutes of the Licensing Committee, held on Thursday 26 July 2018, were confirmed as a correct record.

21 Exclusion of the Public and Press

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.

22

Complaint about a licensed Wyre dual driver licence holder

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

The Wyre Council Taxi Driver was present at the meeting, but was not legally represented.

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

The Wyre Council Taxi Driver addressed the Committee, and gave an account of the incident, the circumstances leading up to it, and referred to the CCTV footage shown.

Members of the Committee, the Licensing Manager and the Senior Solicitor all asked questions of the Wyre Council Taxi Driver, who provided answers.

The Wyre Council Taxi Driver, the Licensing Manager, the Taxi Licensing Officer and the Manager of Food Safety, Health and Safety and Licensing left the room whilst the Committee Members considered all the facts of the case and the representations of the Wyre Council Taxi Driver.

The Wyre Council Taxi Driver, the Licensing Manager, the Taxi Licensing Officer and the Manager of Food Safety, Health and Safety and Licensing were brought back into the room and the Licensing Committee reconvened and the Chairman announced the Committee's decision to everyone.

RESOLVED that the Wyre Council Taxi Driver's Dual Driver's Licence is revoked under section 61 (1) (b) of the Local Government (Miscellaneous Provisions) Act 1976 and that revocation should take immediate effect in accordance with section 61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976.

The reasons for the decision were:

That Members carefully considered all the evidence presented at the meeting, including the Wyre Council Taxi Driver's account, previous history, the CCTV footage and the considerable seriousness of the incident and determined that it was appropriate in all the circumstances to revoke the Licence under section 61 (1) (b) of the Local Government (Miscellaneous Provisions) Act 1976 to take immediate effect in accordance with section 61 (2B) thereof in the interests of public safety.

The meeting started at 6.03 pm and finished at 7.20 pm.

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