



Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Thursday, 25 July 2019 at the Council Chamber.

Licensing Committee members present:

Councillors Robinson, Cartridge, Armstrong, Sir R Atkins, Baxter, C Birch, Leech, Swales, S Turner, Matthew Vincent, Webster and Williams

Apologies for absence:

Councillors Kay and Smith

Other councillors present:

None

Officers present:

Mary Grimshaw, Senior Solicitor and Deputy Monitoring Officer
Niky Barrett, Licensing Manager
Mandy Seddon, Manager of Food Health and Safety and Licensing
Wayne Clarke, Senior Compliance Officer
Duncan Jowitt, Democratic Services and Councillor Development Officer
Emma Keany, Democratic Services Officer

No members of the public or press attended the meeting.

8 Declarations of Interest

Councillor Swales declared a personal interest in item 6 as on numerous occasions she had been a passenger of a taxi driver who was one of the applicant's supporters and left the meeting during discussion of the item and did not take part in the decision.

9 Confirmation of minutes

The minutes of the meeting of the Licensing Committee held on 27 June 2019 were confirmed as a correct record.

10 Gambling Act 2005 - Revision of Wyre's Statement of Licensing Policy

The Service Director Health and Wellbeing submitted a report asking the committee to agree the contents of the revised draft Statement of Gambling

Policy.

Decisions

The Licensing Committee

- approved the draft Statement of Gambling Policy at Appendix 1 of the report and
- agreed to refer the draft Statement of Gambling Policy to the next available meeting of the full Council, with a recommendation that it be adopted.

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Council's Constitution, the Chief Executive had determined that the report submitted under item 6 of this agenda was "Not for Publication" because it contains "exempt information", as defined in Schedule 12A of the Local Government Act 1972.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 6 is being considered, as it refers 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 outweighs the public interest in disclosing the information".

12 New applicant for a Wyre dual driver's licence with previous convictions

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

The applicant for licensed Wyre dual driver licence holder ('the applicant') was present at the meeting and was supported by three friends and a colleague.

The Senior Licensing Officer introduced the report.

The applicant spoke to the committee, explaining the circumstances of the matter referred to in the report.

Each of the applicant's supporters gave a brief statement in defence of his character and advocating the granting of a licence.

Members of the committee asked questions of the applicant, which he answered.

The applicant and his supporters, the Senior Licensing Officer, the Manager of Food Health and Safety and Licensing and the Senior Compliance Officer

left the room whilst the committee members considered the application in closed session.

In reaching its decision the committee had regard to:

1. Local Government (Miscellaneous Provisions Act) 1976,
2. The Council's Hackney Carriage and Private Hire Licensing Convictions and other Relevant Matters Policy – April 2018.

The applicant and his supporters, the Senior Licensing Officer, the Manager of Food Health and Safety and Licensing and Senior Compliance Officer were brought back into the room and the Licensing Committee reconvened and the Chairman announced the committee's decision.

Decision

The committee resolved to grant a dual driver's licence for a term of one year.

Reasons for the decision

The Licensing Authority confirmed that it has an overriding duty to protect the public when determining applications for driver's licences. The careful consideration of applications forms part of that process and provides assurance to the public that those entrusted by Wyre Council to convey passengers, are subject to an appropriately high level of scrutiny and are "fit and proper" to hold Wyre dual driver licences.

After giving careful consideration to all the information before it, the Committee decided that the appropriate response in the individual circumstances of this case was to grant a dual driver's licence for a shorter term of one year and leave the decision on whether to grant subsequent licenses at the discretion of the Senior Licensing Officer.

Full reasons for the decision would be sent to the applicant.

The meeting started at 6.00 pm and finished at 6.54 pm.

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