



Report of:	Meeting	Date	Item No.
Cllr Simon Bridge, Chairman of the Licensing Committee	Council	7 December 2017	12

Periodic Report-Licensing

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 2016 to October 2017 (inclusive).

2 Licensing Committee Hearings

The Licensing Committee has met 11 times, and Licensing sub-committees has met three times, during this reporting period, dealing with a total of 22 matters.

2.1 Licensing Act 2003

Ten applications have been determined by the Committee, following objections by Responsible Authorities and/or residents, during the statutory consultation period.

In addition there was one Summary Review application from Police, following serious crime and/or disorder at the Premises trading as Uber, Vicarage Road, Poulton, and one Standard Review application by Police, following the execution of a drugs warrant at premises trading as Yum Yum's, Brook Street, Fleetwood.

The Uber case necessitated two sub-committee hearings in December 2016, followed by a full hearing in January 2017, where Members revoked the licence and determined that the interim step of suspension, should continue until the determination of the appeal.

This matter was eventually concluded in May 2017, when Magistrates ratified that the licence be transferred to the current holder, subject to reduced hours and additional conditions.

The Yum Yum's case was heard in October 2017 when Members revoked the Licence.

There have been four applications for new Premises Licences which are summarised below.

- Garstang SF Connect Service Station - Granted subject to conditions.
- Dolphinholme House Farm, Wagon Road, Dolphinholme - Granted but with reduced hours of operation and subject to additional conditions.
- Valiants, Lancaster Road, Out Rawcliffe – Granted for two events per annum, subject to additional conditions attached.
- Charlie James 'Pie 'n' Mash' – Granted in the terms applied for.

The following three applications sought to vary existing premises licences to extend the hours.

- Glasshouse, Bispham Road, Thornton Cleveleys – Partially granted. This decision is the subject of an appeal which has been listed for hearing at Manchester Magistrates Court on 4 December 2017.
- The Cube, Breck Road, Poulton – Granted subject to additional conditions.
- Déjà vu, Vicarage Road, Poulton – Granted subject to additional conditions.

There were also two Temporary Event Notices considered by Members, following representations by the Police and Environmental Health respectively.

- 1 Station Road, Fleetwood – A counter notice was issued refusing to authorise the event.
- The Glasshouse, Bispham Road, Thornton Cleveleys – The TEN was authorised subject to the imposition of conditions.

The Committee also considered and granted one application for a new Personal Licence, where the applicant had disclosed a recent conviction.

2.2 Taxi/private hire drivers

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

- Six applications for Dual Driver Licences were considered and granted licences by Members;
- One new application was refused, owing to the applicants criminal offending history;
- One licensed driver was brought before Members, following compliance issues and speeding offences, as a result of which he was deemed no longer a fit and proper person to hold a Wyre Driver's Licence.

3. Licences/permits/registrations issued by the Licensing Unit

3.1 Licensing Act 2003 applications

- 17 New premises licences
- 67 Variations to existing premises licences
- 18 Applications to transfer existing licences
- 99 New Personal licences
- 51 Amendments to Personal Licences
- 254 Temporary Event Notices

3.2 Miscellaneous Licensing/Permitting (new and renewal applications)

- 15 Home Boarding Establishments
- 16 Animal Boarding Establishments
- 2 Dog Crèches (Day Boarding Establishments)
- 2 Dog Breeders
- 8 Pet Shops
- 6 Riding Establishments
- 16 House to House Collection Permits
- 10 Street Collection Permits
- 9 Street Trading Consents
- 9 Scrap Metal Collection Licences
- 6 Scrap Metal Site Licences
- 3 Skin Piercing Registrations
- 2 Tattoo Artist Registrations
- 1 Acupuncture Registration

3.3 Taxi Licensing (new, renewal, transfer applications)

- 300 Vehicle Licences (private hire and hackney carriage)
- 216 Dual Driver Licences
- 8 Private Hire Operator Licences

3.4 Gambling Act 2005 (new, renewal applications)

- 13 Betting Shop
- 1 Bingo Premises
- 1 Adult Gaming Centre

- 2 Family Entertainment Centres
- 3 Licensed premises gaming machine permits, 3 to 5 machines
- 5 Licensed premises gaming machine notification, up to 2 machines
- 144 Small Society Lottery Registrations

4. Licensing activity

4.1 Licensing Act 2003

There are three active Pubwatch groups in the borough, Poulton and Fleetwood meet on a monthly basis and Garstang meets bi-monthly. These groups are supported by the Licensing Enforcement Officer, who regularly attends the meetings.

4.2 Annual fee payments continue to be closely monitored by the Licensing Team and where Premises Licence Holders fail to pay their annual fees, Licensing Officers suspend licences until such time as the fees are paid.

Generally such suspensions are very short lived, and in many cases suspensions are lifted on the same day.

At the time of writing, two premises licences are under suspension. Neither of these businesses are trading at the moment, but as the licence holders have not surrendered their licences, the business continue to attract an annual fee.

4.3 Hackney Carriage and Private Hire Regulation

Two drivers have had their licences revoked by the Head of Environmental Health and Community Safety, under delegated powers, following investigations by Licensing Officers.

The first case involved a licensed driver who got out of his cab and assaulted a member of the public on the street, with the whole incident being captured on CCTV.

The second case involved a licensed driver being convicted of fraud, who then failed to disclose this conviction to the Authority, as required by the licence conditions.

In both cases officers were satisfied on the evidence before them, that the drivers' conduct fell well below the standards of behaviour required of licensed drivers, so much so, that they could no longer be considered fit and proper to hold Wyre Drivers Licences.

A third case was concluded when the individual concerned was issued with a Local Authority Simple Caution for offences under s.47 of the Town Police Clauses Act 1847.

Officers found compelling evidence that the individual concerned had continued to drive a Hackney Carriage Vehicle at a time when they did not

hold a valid Dual Driver's Licence. There was no evidence to suggest that this had been a deliberate act to avoid the scrutiny individuals are subjected to at the point of application, rather it was an administrative oversight by the driver.

4.4 General

The Licensing Team responded to 19 requests for information from members of the public and pressure groups submitted under the Freedom of Information Act. Information relating to animal welfare establishments continues to be the most popular area of Licensing work that gives rise to these requests, followed closely by taxi and private hire work and then the Licensing Act 2003.

4.5 Taxis - Nominated garage for vehicle inspections

The current contract for licensed vehicle inspections to be undertaken on the council's behalf by Burn Naze garage, in Thornton, will cease at the end of March 2018.

Following the completion of the Copse Road Project to create an approved MOT testing facility at the council's own vehicle depot. It is intended that the testing of hackney carriage and private hire vehicles will be brought back in-house from 1 April 2018.

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 an 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
Niky Barrett, Senior Licensing Officer	01253 887236	Nicola.barrett@wyre.gov.uk	30/10/17

List of background papers:		
name of document	date	where available for inspection
None	-	-

List of appendices

None

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