



Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Thursday, 27 February 2020 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillors Robinson, Cartridge, Armstrong, Sir R Atkins, Baxter, C Birch, George, Kay, Leech, Matthew Vincent and Williams

Apologies for absence:

Councillors Collinson and Smith

Other councillors present:

None

Officers present:

Wayne Clarke, Senior Compliance Officer
Mary Grimshaw, Legal Services Manager and Deputy Monitoring Officer
Niky Barrett, Senior Licensing Officer
Duncan Jowitt, Democratic Services and Councillor Development Officer

No members of the public or press attended the meeting.

41 Declarations of Interest

None

42 Confirmation of minutes

The minutes of the meeting held on 30 January 2020 were confirmed as a correct record.

43 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Constitution, the Chief Executive had determined that the reports submitted under items 5 and 6 of this agenda were "Not for Publication" because they contained "exempt information", as defined in Schedule 12A of the Local Government Act 1972.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 items 5 and 6 were being considered, as they 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 exemption outweighed the public interest in disclosing the information”.

44 Complaint about a licensed Wyre dual driver licence holder

The item was deferred until the next meeting of the committee.

45 New applicant for a Wyre dual driver's licence with a recent conviction

The Corporate Director Environment submitted a report to provide members of the Licensing Committee with information to assist them at the hearing.

The licensed Wyre dual driver licence holder ('the driver') was present at the meeting.

The Senior Licensing Officer introduced the report.

The driver spoke to the committee and answered questions from members of the Committee.

The driver, the Senior Licensing Officer and the Senior Compliance Officer left the room whilst committee members considered the matter in closed session.

In reaching its decision, the Committee had regard to Sections 51(1)(a), 53(1)(a)(b) and 59(1)(a) of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the Hackney Carriage and Private Hire Licensing Policy on Convictions and other relevant matters, specifically in reference to Sections 1.10 – Exceptional Circumstances, Sections 2 - General policy, Section 10 - Dishonesty and Section 13 - Drink driving.

The driver, the Senior Licensing Officer and the Senior Compliance Officer were brought back into the room and the Licensing Committee reconvened.

The Chairman announced the committee's decision.

Decision

The Licensing Committee decided to refuse the application for a Wyre Dual Driver Licence.

Reasons for the decision

The Committee did not find there were exceptional circumstances to depart from the policy and was not satisfied that the applicant was a fit and proper person to hold a Wyre Dual Driver Licence. Therefore the application for a Wyre Dual Driver Licence was refused.

A Decision Letter setting out the decision and reasons will be sent to the applicant.

The meeting started at 6.00 pm and finished at 6.43 pm.

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