



Licensing Committee Minutes

Minutes of the meeting of the Licensing Committee of Wyre Borough Council held on Thursday 29 October 2015 at the Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillor M Anderton	Councillor Pimbley
Councillor Barrowclough	Councillor Robinson
Councillor Beavers	Councillor Smith
Councillor C Birch	Councillor Matthew Vincent
Councillor Collinson	Councillor Wilson

Apologies: Councillors' Bridge, Holden, Moon and Ormrod.

Officers present:

C Ferguson, Licensing Manager
M Grimshaw, Senior Solicitor
D Parry, Taxi Licensing and Enforcement Officer
C Leary, Democratic Services Officer.

Non-members present: None.

Members of the public present: Mr Arnot and Mr Bell for Item 5 only and Mr G for Item 8 only.

No Members of the Press were present.

LIC. 12 Election of Temporary Chairman

As both the Chairman and Vice Chairman were not available to make the meeting. Councillor Sue Pimbley was proposed and seconded to Chair the meeting for the evening.

Resolved that Councillor Sue Pimbley Chair the meeting of the Licensing Committee for the evening of 29 October 2015

LIC. 13 Declarations of interest

None.

LIC. 14 Confirmation of minutes

The minutes of the Licensing Committee meeting held on Thursday 24 September 2015 were confirmed as a correct record.

LIC. 15 Application for a new premises licence for a Co-operative convenience store, Preesall

The Corporate Director of People and Places submitted a report to provide Members of the Licensing Committee with information to assist them at a hearing to determine an application for a new premises licence under the Licensing Act 2003 for a Co-operative Convenience store, proposed for derelict land at Sandy Lane, Preesall, FY6 0EJ.

Mr Bell the area manager for the Co-operative Food Group Ltd was present with Mr Arnot their legal representative.

Mr Arnot spoke to the committee, outlining the Co-operative's expansion in the Preesall area and their plans for a convenience store in Preesall. Mr Arnot responded to the concerns within the representation and highlighted the proposed conditions and business model his client would use.

The report fully outlined all the necessary details and the added information within the training guide.

RESOLVED that a new premises licence for the co-operative convenience store, situated at Sandy Lane, Preesall, FY6 0EJ, be granted. The committee noted the objection but were satisfied that the conditions proposed were acceptable and would not undermine the Licensing Objectives.

LIC. 16 Amendment to Group 2 medical policy for Wyre Licensed drivers

The Corporate Director of People and Places submitted a report to request that members amend the current Group 2 medical policy.

On 24 April 2014 members resolved to adopt the medical policy so that all Wyre licensed drivers be assessed as medically fit to a Group 2 Standard by a doctor and deemed suitable to hold a licence.

Although members had approved the current medical policy, it was felt that additional provision should be included to take into account the individual cases of current licensed drivers. In addition, there should also be a provision for non-diabetic drivers to inform the Council if any aspect of their health changes.

The committee considered the amendments to the policy.

RESOLVED that the policy include the two new paragraphs:-

- 1) Where there remains any doubt about the fitness of a current licensed driver, the Licensing Committee will review the medical evidence and make any final decision in light of the medical evidence available. **In exceptional circumstances, the council may** include grant of an application in full, grant of a limited term licence, or revocation of an existing licence.

and

- 2) Licence holders must advise the Council of any deterioration in their health that may affect their driving capabilities. Licence holders must do so within 2 weeks of such recognition of deterioration or medical referral.

LIC.17 Exclusion of the Public and Press

RESOLVED that the public and press be excluded from the meeting whilst agenda item 8 is being considered, on the grounds that their presence would involve the likely disclosure of exempt information as defined in categories 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.

LIC. 18 Wyre Driver renewal applicant – failure to meet medical standard

The Corporate Director of People and Places submitted a report to provide Members of the Licensing Committee with the information to assist them at a hearing.

Mr G was present at the meeting, but was not legally represented.

The report fully outlined all the necessary details and information.

Mr G spoke to the committee, explaining the circumstances of his failure to meet the medical standard.

Members of the committee asked questions of Mr G.

RESOLVED that Mr G be allowed to keep the recently issued Wyre Council Dual Driver's Licence. The Members considered this to be an exceptional case. Mr G was born with this condition and had been driving for a number of years as a taxi driver without any endorsement, accident or complaint. He had also driven for the Post Office before becoming a taxi driver.

LIC. 19 Wyre Council Advertising Policy for Hackney Carriage Vehicles

The Corporate Director of People and Places submitted a report to provide Members of the Licensing Committee with information to assist them at a hearing.

The report fully outlined all the necessary details, pictures and information.

Members of the committee discussed in detail whether to amend the condition to allow for the application of advertising 'wrapping' of hackney carriages.

Members discussed the proposal and asked questions of the officers present.

RESOLVED that the recommendation to amend the condition to allow for the 'wrapping' of hackney carriages, be denied.

Reasons for decision

1. It was felt by members that additional advertising was unnecessary and that current conditions placed on Hackney carriage vehicles were sufficient and suitable.
2. Members also felt that the skin/wraps applied to a rear window of a vehicle would obscure visibility and prevent the police and council enforcement officers from being able to view inside the vehicle to check on the number of passengers a vehicle was carrying. In addition, officers would not be able to see if customers were wearing seatbelts.
3. Members felt that there was increased potential for customers to confuse commercial vehicles with the same advertising wraps/skins, with hackney carriages.

The meeting started at 6.10pm and finished at 7.36pm

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