

MINUTES

Public Protection Committee and Licensing Committee

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| Date: | Wednesday, 13 March 2024 |
| Venue: | Town Hall, St Annes Road West, St Annes, FY8 1LW |
| Committee Members Present: | Councillor Sandra Pitman (Chairman) Councillor Viv Willder (Vice-Chairman) Councillors Frank Andrews, Martin Evans, Susan Fazackerley MBE, Gail Goodman JP, Noreen Griffiths, Gavin Harrison, Karen Henshaw JP and Paul Hodgson. Councillor Mark Bamforth participated in the meeting via remote access ¹ . |
| Officers Present: | Ian Curtis, Ian Williamson, Chris Hambly, Joanne Gallagher, Sophie Eastham, Sharon Wadsworth |
| Other Attendees: | 5 members of the public were in attendance |

1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members.

There were no declarations of interest.

2. Substitute Members

There were no substitutes on this occasion.

Public Protection Items:

3. Confirmation of Minutes

The minutes of the Public Protection Committee meeting held on 12 July 2023 were approved as a correct record for signature by the Chairman.

4. Caravan Site Licensing – West End Residential Park

Chris Hambly, Principal Licensing Officer, introduced the report that requested updating the site license for West End Residential Park to reflect the Model Conditions 2008 for Caravan Sites in England, issued by the then Department for Communities and Local Government.

The latest conditions would tidy up some procedural matters, incorporate measures regarding maintenance on site and more explanatory conditions regarding roads and flood protection measures.

¹ Council procedure rule 2 allows a councillor to participate in a meeting remotely in certain circumstances. A remotely participating councillor is not deemed to be present at the meeting and may not move, second or vote on any matter.

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The licence holder had been made aware of the intention to update the conditions to the site licence and invited to attend and make any representations to the committee.

In the absence of any representations by the licence holder, the committee unanimously APPROVED the changes to the site licence for West End Residential Park as set out in the report.

5. Request for Consent to Licence Wheelchair Accessible Vehicles which fall outside the Hackney and Private Hire Vehicle Licensing Policy

Mr. Hambly informed members that the licensing team had been approached by two proprietors of Wheelchair Accessible Vehicles (WAV's), that are currently licensed as Hackey Carriages, with the intention of replacing them with other WAV's. However, the replacement vehicles would fall outside the requirements of Part 5 of the Hackney and Private Hire Licensing Policy as the vehicles in question would be over 6 years old and one was rear loading.

Fylde Council has a shortage of WAV's and relaxation of the requirements in previous policies had not been as successful as hoped. Since the policy was introduced, 17 WAVs had been licenced at various times but only three now remained.

To address the shortage of WAVs the committee was asked to consider delegating authority to the licensing officers to issue up to five additional hackney carriage licences for wheelchair accessible vehicles that fall outside the scope of the policy. Any vehicle would still be subject to inspection and must hold the necessary safety approvals. A review of the current policy was also recommended, to include a consultation with the trade, disabled passengers, and any other interested parties to identify measures and ways to increase the WAVs on the fleet.

The committee unanimously RESOLVED:-

1. To authorise licensing officers, in conjunction with the chairman and vice chairman, to licence up to five wheelchair accessible vehicles which fall outside the remit of the Hackney and Private Hire licensing policy.
2. That a review of the Wheelchair Accessible Vehicle Policy be undertaken to encourage applications for appropriate vehicles.

6. Training Standards

Ian Curtis, Head of Governance, introduced the report requesting the committee to endorse the training standard for licensing councillors that had been introduced by the Local Government Association and the Institute of Licensing. Adherence to this standard would signify the commitment and expertise to be expected in licensing decision-making.

Mr. Curtis reiterated that comprehensive training was currently provided to licensing members and the adoption of the standards would enable further support.

It was unanimously RESOLVED to:-

1. Endorse the training standard for licensing councillors as issued by the Local Government Association and Institute of Licensing; and
2. Ask the Head of Governance to secure that training is available to members of the committee to enable them to meet the basic standard.

Licensing Decision Items

6. Confirmation of Minutes

The minutes of the Licensing meeting held on 25 October 2023 were approved as a correct record for signature by the Chairman.

7. Cumulative Impact Assessment Request

Mr. Hambly presented the findings from the consultation exercise that had taken place from 7th November 2023 to 14th January 2024 regarding a request for a Cumulative Impact Policy (CIP) for an area of Lytham. The response from the police, as a statutory body, to the consultation had been that the data in relation to crime and disorder in the area did not support a cumulative impact policy at this time and that they were satisfied that the current system of treating each application on its individual merits was sufficient.

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Mr. Hambly stated that the consultation exercise had been extremely useful and had identified some issues that would not be mitigated by the introduction of a CIP. It was noted that the data compiled during the exercise was inconsistent with the perceptions of some community representatives. This might be due to issues being underreported to the council. Officers would consider ways on further communicating on how to log reports as any licensing reviews and introductions of a CIP had to be evidence based.

Members were supportive of tackling the issues in Lytham but were not satisfied that the introduction of a CIP was the most effective method. Alternative enforcement powers are available to address any reported issues for a particular premises including the Environmental Protection Act and the Antisocial behaviour, Crime and Policing Act 2014.

Following a detailed debate the committee unanimously RESOLVED to take no further action at the present time regarding the introduction of a Cumulative Impact Policy. Whilst there was a perception of crime, disorder and anti-social behaviour it was not currently supported by statistics. At this time, the concerns should be addressed by encouraging the reporting of incidents to the relevant authority, providing reassurance to residents and greater dialogue by the Licensing Authority and other agencies to address any concerns.

8. Statement of Licensing Policy

The Statement of Licensing Policy had been reviewed and updated to reflect any changes to legislation. A consultation exercise had been undertaken on the amended policy but had yielded no responses.

It was unanimously RESOLVED to recommend the adoption of the Statement of Licensing Policy to Full Council.

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