

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

HELD AT COMMITTEE ROOM 1, CIVIC CENTRE, SWANSEA ON
FRIDAY, 9 JANUARY 2015 AT 10.00 AM

PRESENT: P M Matthews (Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
A C S Colburn	P Lloyd	T H Rees
D W Cole	K E Marsh	H M Morris
P Downing	B G Owen	

97 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors A M Cook and C L Philpott.

98 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

99 **MINUTES:**

RESOLVED that the Minutes of the General Licensing Committee held on 12 December, 2014 and the Special Licensing Committee held on 17 December, 2014 be approved as correct records.

100 **NEW PROCEDURE FOR GENERAL LICENSING COMMITTEE.**

The Lawyer advising the Committee reported that Licensing Officers were drafting guidance on a new procedure to be adopted at General Licensing Committee meetings in respect of perceived bias during decision making at Committee.

It was proposed that during Members' consideration in private session, Licensing Officers would leave the room.

The Applicant would be requested to stay until Members had debated the issues to provide Members with the opportunity to re-call parties should there be any further questions.

RESOLVED that:

- a. A report be submitted to the next meeting of General Licensing Committee; and
- b. Licensing Officers leave the meeting during the private session with immediate effect.

101 **EXCLUSION OF THE PUBLIC.**

The Committee was requested to exclude the public from the meeting during the consideration of the items of business identified in the recommendations to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exclusion paragraph of 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007, relevant to the item of business as set out in the report.

The Committee considered the Public Interest Test in deciding to exclude the public from the meeting for the items of business where the Public Interest Test was relevant, as set out in the report.

It was **RESOLVED** that the public be excluded for the following items of business.

(CLOSED SESSION)

102 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - DUAL BADGE DRIVER - HACKNEY CARRIAGE VEHICLE PROPRIETOR - JHG.**

The Divisional Officer, Licensing, Food and Safety detailed the background details in respect of JHG.

JHG, accompanied by Mr P Warren, Solicitor, outlined the background details and circumstances relating to the offences and answered Members' questions.

It was ascertained that consideration of 7 vehicle licences held by JHG need not be considered by the Committee on the grounds that these have already been revoked.

RESOLVED that JHG's application to renew his hackney carriage and private hire driver's licence be **APPROVED**, and JHG be issued with a final warning letter regarding future conduct.

103 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - JJBT.**

The Divisional Officer, Licensing, Food and Safety detailed the background details in respect of JJBT.

JJBT outlined the background details and circumstances relating to the offences and answered Members' questions.

RESOLVED that:

- a. JJBT supply evidence to support his assertion that the Insurance Policy had been paid;
- b. the matter be deferred to the next meeting of the General Licensing Committee.

104 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY
CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - CPM.**

The Divisional Officer, Licensing, Food and Safety detailed the background details in respect of CPM.

CPM outlined the background details and circumstances relating to the offences and answered Members' questions.

RESOLVED that CPM's application for the grant of a hackney carriage and private hire driver's licence be **REFUSED**.

Reason for Decision

The Committee deemed that CPM was not a fit and proper person due to the serious nature of the disclosed conviction and insufficient time had elapsed since the restoration of the DVLA licence. Consideration would however be given to a further application being made prior to the 3 years contained within the Council Guidelines.

105 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY
CARRIAGE AND PRIVATE HIRE DRIVER LICENCE - SPD.**

The Divisional Officer, Licensing, Food and Safety detailed the background details in respect of SPD.

SPD, accompanied by Mr Havard, outlined the background details and circumstances relating to the offences and answered Members' questions.

RESOLVED that SPD's application for the grant of a hackney carriage and private hire driver's licence be **APPROVED** and SPD be issued with a warning letter regarding future conduct.

The meeting ended at 11.39 am

CHAIR