

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

HELD AT COMMITTEE ROOM 1, CIVIC CENTRE, SWANSEA. ON
FRIDAY, 25 APRIL 2014 AT 10.00 AM

PRESENT: Councillor P M Matthews (Chair) presided

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

Officers:

L Anthony	-	Divisional Licensing Officer
L Thomas	-	Lawyer
R Jenkins	-	Licensing Officer
S Woon	-	Democratic Services Officer

132 **APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor D W Cole.

133 **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.

134 **MINUTES.**

RESOLVED that the minutes of the General Licensing Committee held on Friday, 28 March, 2014, be approved as a correct record.

135 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO SUBSTITUTE A PRIVATE HIRE VEHICLE, FORD MONDEO, REGISTRATION MARK BF08 XMR - MR DAVID HANCOCK.**

Members inspected the vehicle.

The Divisional Licensing Officer advised that an application to substitute a vehicle on an existing private hire vehicle licence had been received from Mr David Hancock. The vehicle was a white Ford Mondeo, Registration Mark BF08 XMR and is capable of carrying 4 passengers.

Members noted the background, relevant issues in relation to Hackney Carriage vehicles, Department for Transport - Taxi and Private Hire Licensing; Best Practice Guidance; March 2010 and legislation relating to the licensing of private hire vehicles.

Members asked questions of the Officer who responded accordingly.

Members asked questions of Mr David Hancock who responded accordingly.

RESOLVED that the application made by Mr. David Hancock to substitute the white Ford Mondeo, Registration Mark BF08 XMR onto the private hire vehicle licence 4280 which is renewed on merit **BE APPROVED**.

136 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE A PRIVATE HIRE VEHICLE, FORD MONDEO, REGISTRATION MARK YS10 BXR - MR DAVID HANCOCK.**

Members inspected the vehicle.

The Divisional Licensing Officer advised that an application to licence a private hire vehicle had been received from Mr David Hancock. The vehicle was a white Ford Mondeo, Registration Mark YS10 BXR and is capable of carrying 4 passengers.

Members noted the background, relevant issues in relation to Hackney Carriage vehicles, Department for Transport - Taxi and Private Hire Licensing; Best Practice Guidance; March 2010 and legislation relating to the licensing of private hire vehicles.

RESOLVED that the application made by Mr. David Hancock to licence a private hire vehicle Registration Mark YS10 BXR and the licence be renewed on merit **BE APPROVED**.

137 **TOWN POLICE CLAUSES ACT 1847 - APPLICATION TO SUBSTITUTE A HACKNEY CARRIAGE VEHICLE - MERCEDES C220, REGISTRATION MARK JA04 ONP - MR JASON CARL PARSONS.**

Members inspected the vehicle.

The Divisional Licensing Officer advised that an application to substitute a vehicle on an existing hackney carriage licence had been received from Mr Jason Carl Parsons. The vehicle was a black Mercedes C220, Registration Mark JA04 ONP and is capable of carrying 4 passengers.

Members noted the background, relevant issues in relation to Hackney Carriage vehicles, Department for Transport - Taxi and Private Hire Licensing; Best Practice Guidance; March 2010; legislation relating to the licensing of hackney carriage vehicles and the previous proposal to allow the licensing of second hand hackney carriage vehicles.

RESOLVED that the application made by Mr. Jason Carl Parsons to substitute a black Mercedes C220, Registration Mark JA04 ONP vehicle on an existing hackney carriage licence HC 4091 **BE APPROVED**.

138 **TOWN POLICE CLAUSES ACT 1847 - APPLICATION TO SUBSTITUTE A HACKNEY CARRIAGE VEHICLE - MERCEDES VITO, REGISTRATION MARK TF07 WJV - SWANSEA MOTOR CONTRACTS LTD - MR MARK CUTAJAR.**

Members inspected the vehicle.

The Divisional Licensing Officer advised that an application to substitute a vehicle on an existing hackney carriage licence had been received from Mr Mark Cutajar of Swansea Motor Contracts Ltd. The vehicle was a black Mercedes Vito, Registration Mark TF07 WJV and is capable of carrying 8 passengers.

Members noted the background, relevant issues in relation to Hackney Carriage vehicles, Department for Transport - Taxi and Private Hire Licensing; Best Practice Guidance; March 2010; legislation relating to the licensing of hackney carriage vehicles and the previous proposal to allow the licensing of second hand hackney carriage vehicles.

RESOLVED that the application made by Mr. Mark Cutajar of Swansea Motor Contracts Ltd to substitute the Mercedes Vito, Registration Mark TF07 WJV onto the hackney carriage licence HC 5019 **BE APPROVED**.

139 **EXCLUSION OF THE PUBLIC.**

The Committee were requested to exclude the public from the meeting during consideration of the items of business identified in the recommendations to the report on the grounds that they involve 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 items 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 on the agenda.

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

The Divisional Licensing Officer outlined the background details in respect of LDG.

LDG, accompanied by his mother, explained the background details and circumstances relating to the offence and answered Members' questions.

Members asked questions of the Officer who responded accordingly.

RESOLVED that in considering the application made by LDG, the decision of the Committee was to **REFUSE** the application on the basis that he is LDG was not a fit and proper person to hold such a licence.

Reason

The Committee had serious concerns over his suitability as a taxi driver in view of the level of alcohol in his system, and especially in respect of the serious lack of judgement and professionalism, displayed in light of his employment as a bus driver at the time of the offence.

Members, having spoken to Mr Gilligan, expressed further concerns with regard to him being granted a licence to drive hackney carriage and private hire vehicles in respect of his reasoning provided and of further incidents that may occur due to his previous lack of judgement whilst holding a professional licence and further expressed concerns for the safety of the travelling public.

Members therefore felt that insufficient time that had lapsed since the reinstatement of his driving licence for a licence to be granted.

141 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1976 - KS.**

The Divisional Licensing Officer outlined the background details in respect of KS.

KS, accompanied by his son explained the background details and circumstances relating to the offence and answered Members' questions.

Members asked questions of the Officer who responded accordingly.

RESOLVED that a strong warning letter be issued to KS regarding future conduct.

The meeting ended at 11.08 am

CHAIR