

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

**HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON FRIDAY,
12 FEBRUARY 2016 AT 10.00 AM**

PRESENT: Councillor P M Matthews (Chair) Presided

Councillor(s)

A C S Colburn
J P Curtice
P Lloyd
C L Philpott

Councillor(s)

D W Cole
P Downing
K E Marsh
T H Rees

Councillor(s)

A M Cook
V M Evans
H M Morris

Officer(s)

L Anthony
A Gruffydd
K Thomas
S Woon

Divisional Officer, Licensing, Food & Safety
Lawyer
Licensing Officer
Democratic Services Officer

92 **APOLOGIES FOR ABSENCE.**

No apologies for absence were received.

93 **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.

94 **MINUTES.**

RESOLVED that the minutes of the General Licensing Committee held on 8 January, 2016 be agreed as a correct record.

[A discussion ensued regarding Minute No. 91 and the previous decision to refer the matter of delegating decisions to Licensing Officers to the Development Cabinet Advisory Committee for examination. The Committee agreed that it would be more appropriate for the Divisional Officer, Licensing, Food & Safety to undertake a review of the age criteria in respect of Private Hire Vehicles and report back to a future meeting of the General Licensing Committee].

95 **TOWN POLICE CLAUSES ACT 1847 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE VEHICLE LICENCE - NEIL GALLAGHER.**

The Divisional Officer, Licensing, Food & Safety reported that an application for the grant of a hackney carriage vehicle licence had been received from Mr N Gallagher. The vehicle was a black Ford Tourneo Registration Mark CY10 MYK and was capable of carrying 8 passengers.

The vehicle did not comply with the current licensing criteria set out by the Authority due to its age.

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.

Members asked questions of the Officer who responded accordingly.

Members asked questions of Mr N Gallagher who responded accordingly.

RESOLVED that the application made by Mr N Gallagher for a Hackney Carriage Vehicle Licence in respect of the Ford Tourneo vehicle registration mark CY10 MYK be **APPROVED** and renewed on merit.

96 **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)

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

The Divisional Licensing Officer detailed the background information in respect of MSB.

MSB, outlined the background details and circumstances relating to the convictions and answered members' questions.

RESOLVED that MSB's application for a Hackney Carriage and Private Hire Driver's Licence **BE APPROVED**.

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

The Divisional Licensing Officer detailed the background information in respect of AJW.

AJW outlined the background details and circumstances relating to the convictions and answered members' questions.

RESOLVED that AJW's application for a Hackney Carriage and Private Hire Driver's Licence **BE REFUSED**.

Reason for Decision

AJW did not identify by his own admission his drinking. The Committee felt that he was not a fit and proper person given that he drinks every day and could not say with certainty that he would not be over the limit every day. AJW would be driving children to school the following morning as that is the only driving work that he does and may be over the limit.

Additionally, there was evidence that AJW had disregarded the advice from his GP to cut down his alcohol consumption.

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

The Divisional Licensing Officer detailed the background information in respect of DJD.

DJD outlined the background details and circumstances relating to the convictions and answered members' questions.

RESOLVED that DJD be issued with a strong warning letter regarding future conduct.

100 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1976 - SECTION 55 - APPLICATION FOR
A PRIVATE HIRE OPERATORS LICENCE - DJD.**

The Divisional Licensing Officer detailed the background information in respect of DJD.

Members asked questions of the Officer who responded accordingly.

DJD outlined the background details and answered members' questions.

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Cont'd

RESOLVED that DJD's application for a Private Hire Operators licence **BE APPROVED**.

The meeting ended at 11.11 am

CHAIR