

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON FRIDAY, 8
APRIL 2016 AT 10.00 AM

PRESENT: Councillor P M Matthews (Chair) Presided

Councillor(s)

A C S Colburn
J P Curtice
P Lloyd
T H Rees

Councillor(s)

D W Cole
P Downing
K E Marsh

Councillor(s)

A M Cook
V M Evans
H M Morris

Officer(s)

Lynda Anthony
Kath Thomas
Lyndsay Thomas
S Woon

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

115 **APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor C L Philpott.

116 **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.

117 **MINUTES:**

RESOLVED that the minutes of the General Licensing Committee held on 11 March 2016 be agreed as a correct record.

118 **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)

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of ALD.

The Chair asked a question of the Lawyer advising the Committee who responded accordingly.

ALD outlined the background details and circumstances relating to the convictions and answered Members' questions.

RESOLVED that ALD's application for the renewal of a hackney carriage and private hire driver's licence **BE APPROVED** and ALD receive a warning letter regarding compliance with court order.

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of DNR.

DNR outlined the background details and circumstances relating to the convictions and answered Members' questions.

RESOLVED that DNR's application for the grant of a hackney carriage and private hire driver's licence **BE APPROVED** and DNR receive a warning letter regarding future conduct.

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of NM.

Members asked questions of the Divisional Officer, Licensing, Food & Safety who responded accordingly.

NM outlined the background details and circumstances relating to the convictions and answered Members' questions.

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

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of JW.

JW, accompanied by GH, outlined the background details and circumstances relating to the convictions and answered Members' questions.

The Lawyer advising the Committee read the contents of two references in support of JW's application.

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

Reason for Decision

Members, having regard to the representations made and references submitted, were not satisfied that JW was a Fit and Proper Person and considered it necessary to apply the guidelines requiring at least 3 years free from convictions before considering a grant to JW.

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

The Divisional Officer, Licensing, Food and Safety, advised that MBC had failed to attend the meeting and confirmed that there had been no communication from MBC requesting a deferment of the matter.

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of MBC.

Members asked questions of the Officer who responded accordingly.

RESOLVED that:

1. The matter be dealt with MBC's absence;
2. MBC's application for the grant of a restricted hackney carriage and private hire driver's licence **BE REFUSED**.

Reason for Decision

There was no contact from MBC indicating an inability to attend or seeking a deferral. The Members, having considered the information provided within the report, were not satisfied MBC was a fit and proper person.

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of AJR.

AJR outlined the background details and circumstances relating to the convictions and answered Members' questions.

The Lawyer advising the Committee clarified the content of the letter to AJR dated 13 November, 2015.

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

Reason for Decision

Members were not satisfied that AJR was a Fit and Proper Person due to the frequency and number of driving convictions and there had not been sufficient time without any convictions to satisfy the Members that AJR would not re-offend.

COUNCILLOR P DOWNING (CHAIR PRO TEM) PRESIDED

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of ARA.

Members asked questions of the Officer who responded accordingly.

ARA outlined the background details and circumstances relating to the convictions and answered Members' questions.

RESOLVED that ARA's application for the grant of a hackney carriage and private hire driver's licence **BE APPROVED** and ARA be issued with a warning letter reminding ARA that it was his responsibility to check the vehicle was properly insured.

COUNCILLOR P M MATTHEWS (CHAIR) PRESIDED

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of EJLI.

EJLI outlined the background details and circumstances relating to the convictions and answered Members' questions.

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

Reason for Decision

Members, having regard to EJLI's previous convictions and caution and the representations made, were not satisfied that EJLI was a Fit and Proper Person and considered it necessary to apply the guidelines requiring at least 3 years free from convictions before considering a grant to EJLI.

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of CAW.

CAW outlined the background details and circumstances relating to the convictions and answered Members' questions.

RESOLVED that CAW's application for the grant of a hackney carriage and private hire driver's licence **BE APPROVED** and CAW receive a warning letter regarding future conduct.

The meeting ended at 11.59 am

CHAIR