

CITY AND COUNTY OF SWANSEA

MINUTES OF THE SPECIAL GENERAL LICENSING COMMITTEE

HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON
TUESDAY, 1 MARCH 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
C L Philpott

Officer(s)

Lyndsay Thomas
L Anthony
Y Lewis
S Woon

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

101 **APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor H M Morris.

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

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared:

Councillor V M Evans – Personal – Minute No. 103 – Local Government (Miscellaneous Provisions Act 1976) – Application to Licence a Restricted Private Hire Vehicle – Ford Galaxy, Registration Mark WU53 JWK – Mr David Jones – Applicant is known to me. Councillor V M Evans withdrew from the meeting prior to consideration of the item.

Councillor P Lloyd – Personal – Minute No. 103 – Local Government (Miscellaneous Provisions Act 1976) – Application to Licence a Restricted Private Hire Vehicle – Ford Galaxy, Registration Mark WU53 JWK – Mr David Jones – Applicant is known to me. Councillor P Lloyd withdrew from the meeting prior to consideration of the item.

103 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS ACT 1976) -
APPLICATION TO LICENCE A RESTRICTED PRIVATE HIRE VEHICLE - FORD
GALAXY, REGISTRATION MARK WU53 JWK - MR DAVID JONES.**

The Divisional Licensing Officer advised that an application to licence a restricted private hire vehicle had been received from Mr D Jones. The vehicle was a White Ford Galaxy, registration mark WU53 JWK and was capable of carrying six passengers.

The vehicle did not comply with the current licensing criteria set out by the Authority due to its age. Mr D Jones wished to use the restricted private hire vehicle, if licensed, for the purposes of school transport, airport travel and/or executive hire only.

Members noted the inspections and documents, Department of Transport, Taxi and Private Hire Licensing: Best Practice Guidance: March 2010; and the legislation relating to the licensing of Private Hire Vehicles.

Members asked questions of Mr D Jones who responded accordingly.

RESOLVED that the application made by Mr D Jones for a restricted private hire vehicle licence in respect of the white ford Galaxy, vehicle registration mark WU53 JWK **BE APPROVED** and renewed on merit.

104 **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)

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

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

MSR and Mr Ibrahim outlined the background details and circumstances of the disclosures by a Chief Police Officer and answered members' questions.

RESOLVED that MSR's application for a hackney carriage and private hire driver's licence **BE REFUSED**.

Reason for Decision

The Members were not satisfied MSR was a fit and proper person to hold a licence as a result of admissions made by him regarding disclosures by a Chief Police Officer set out under Other Relevant information on MSR's DBS Certificate.

The Members were advised they were able to and should consider the disclosures made by the Chief Police Officer when considering the application.

The Members recognised the safety of the public was their paramount concern and that as a licenced driver MSR would have contact with all members of society including children and adults who could be vulnerable.

The Members considered, taking all relevant matters into consideration, that the conduct MSR had admitted to was inappropriate and unacceptable and he had himself been hiding it.

MSR did not accept his conduct was inappropriate. Therefore the Members were not persuaded MSR was acting out of character and would not repeat all or part of his behaviour.

The Members were mindful that as this was a grant it was for MSR to satisfy them he was a fit and proper person to hold a drivers licence and in light of his own admissions regarding his conduct they were not satisfied he was a fit and proper person.

The meeting ended at 11.41 am

CHAIR