



City and County of Swansea

Minutes of the **General Licensing Committee**

Council Chamber, Guildhall, Swansea

Friday, 8 February 2019 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)

C Anderson
P Downing
H M Morris

Councillor(s)

J P Curtice
S J Gallagher
C L Philpott

Councillor(s)

N J Davies
P Lloyd
L G Thomas

Officer(s)

Aled Gruffydd
Richard Jenkins
Yvonne Lewis
Samantha Woon

Lawyer
Licensing Officer
Team Leader, Licensing
Democratic Services Officer

Apologies for Absence

Councillor(s): B J Rowlands, L V Walton

61 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 C Anderson – Personal – Minute No: 68 - 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 – PJH – Applicant is known to me. Councillor C Anderson left the meeting prior to consideration of the item.

Councillor J P Curtice – Personal – Minute No: 68 - 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 – PJH – Applicant is known to me. Councillor J P Curtice left the meeting prior to consideration of the item.

62 Minutes:

Resolved that the Minutes of the General Licensing Committee held on 11 January, 2019, be agreed as a correct record.

63 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.

Resolved that the public be excluded for the following items of business.

(Closed Session)

64 Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage and Private Hire driver's Licence - MNI.

The Team Leader, Licensing, advised that MNI had failed to attend the meeting or provide a reason for absence.

The Lawyer advising the Committee provided legal advice.

The Team Leader, Licensing, detailed the background in respect of MNI.

The Complainant amplified the written representation and answered Members' questions.

Resolved that:

1. The matter be dealt with in the absence of MNI;
2. MNI's Hackney Carriage and Private Hire Driver's Licences be **revoked**; and
3. No further action in respect of MNI's Hackney Carriage and Private Hire Driver's Vehicle Licence.

Reason for Decision

The Committee determined that MNI was not a fit and proper person. There were concerns over his honesty regarding overcharging and longer route and there were a number of complaints from previous instances before the Committee and the company he worked through.

65 Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 - Application for the Grant of a Restricted Hackney Carriage and Private Hire Driver's Licence - CSL.

The Team Leader, Licensing, detailed the background in respect of CSL's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence and answered Members questions.

CSL explained the circumstances and answered Members' questions.

Resolved that CSL's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence be **refused**.

Reason for Decision

The Licensing Guidelines of 3 years following restoration of licence had not been met. The Committee were not convinced of CSL's mitigation and felt they were not able to depart from their guidelines.

66 Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage and Private Hire Driver's Licence - DK.

The Team Leader, Licensing, detailed the background in respect of DK.

DK explained the circumstances and answered Members' questions.

Resolved that DK be issued with a final warning regarding future conduct.

67 Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 - Application for the Grant of a Restricted Hackney Carriage and Private Hire Driver's Licence - MJW.

The Team Leader, Licensing, detailed the background in respect of MJW's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence.

MJW explained the circumstances and answered Members' questions.

Resolved that:

MJW's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence be **granted** with a warning letter regarding standards expected.

68 Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 - Application for the Grant of a Restricted Hackney Carriage and Private Hire Driver's Licence - PJH.

The Team Leader, Licensing, detailed the background in respect of PJH's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence.

PJH explained the circumstances and answered Members' questions.

Resolved that PJH's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence be **granted** with a warning letter regarding standards expected.

The meeting ended at 12.00 pm

Chair