



City and County of Swansea

Minutes of the **General Licensing Committee**

Council Chamber, Guildhall, Swansea

Friday, 13 September 2019 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)

C Anderson
P Lloyd
L V Walton

Councillor(s)

J P Curtice
H M Morris

Councillor(s)

P Downing
C L Philpott

Officer(s)

Lynda Anthony
Samantha Woon
Craig Davies
Alec Dubens

Licensing, Food and Safety Manager
Democratic Services Officer
Lawyer
Licensing Officer

Apologies for Absence

Councillor(s): N J Davies, S J Gallagher and L G Thomas

28 **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 30 - Local Government (Miscellaneous Provisions) Act 1976 – Request to determine the suitability of a Mercedes E Class 2200cc Diesel Vehicle for Licensing as a Restricted Private Hire Driver's Licence – D Jones – Applicant is known to me. Councillor C Anderson left the meeting prior to consideration of this item.

Councillor C Anderson – Personal – Minute No 32 - Town Police Clauses Act 1847 & Local Government (Miscellaneous Provisions) Act 1976 – Application for the Grant of a Restricted Hackney Carriage & Private Hire Driver's Licence - KDD. Councillor C Anderson left the meeting prior to consideration of this item.

Councillor P Lloyd – Personal – Minute No 30 - Local Government (Miscellaneous Provisions) Act 1976 – Request to determine the suitability of a Mercedes E Class 2200cc Diesel Vehicle for Licensing as a Restricted Private Hire Driver's Licence – D Jones – Applicant is known to me. Councillor P Lloyd left the meeting prior to consideration of this item.

Councillor P Lloyd – Personal – Minute No 32 - Town Police Clauses Act 1847 & Local Government (Miscellaneous Provisions) Act 1976 – Application for the Grant of

a Restricted Hackney Carriage & Private Hire Driver's Licence - KDD. Councillor P Lloyd left the meeting prior to consideration of this item.

Councillor P Lloyd – Personal – Minute No 34 - Passengers in Wheelchairs – Request for an Exemption Certificate - MAC. Councillor P Lloyd left the meeting prior to consideration of this item.

29 Minutes:

Resolved that the Minutes of the General Licensing Committee held on 9 August, 2019 be agreed as a correct record.

30 Local Government (Miscellaneous Provisions) Act 1976 - Request to determine the suitability of a Mercedes E Class 2200CC Diesel Vehicle for Licensing as a Restricted Private Hire Vehicle - D Jones.

Committee Members viewed the vehicle.

The Licensing, Food & Safety Manager, reported that a request, in principle, had been received from Mr David Jones of Birchgrove Mini Travel Ltd for Members to determine the suitability of a Black Mercedes E Class, 2200cc diesel engine vehicle, for licensing as a restricted private hire vehicle to carry three passengers.

Members asked questions of Mr Jones who responded accordingly.

Resolved the application be **refused**.

Reason for Decision

Members determined that the vehicle did not meet the requirements of the existing restricted private hire vehicle conditions as the vehicle:

It only has two doors; That being one door either side of the vehicle

Vehicles must have 2 door's each side of the vehicle; passengers should have access to a door.

All passengers shall have access to their own door to allow them to exit.

Doors must open sufficiently wide to allow for regress.

31 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)

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

The Licensing, Food & Safety Manager, detailed the background in respect of KDD.

KDD, accompanied by Mr J, explained the circumstances relating to the application and answered Members' questions.

Resolved that KDD's application for the Grant of a Restricted Hackney Carriage and Private Hire Driver's Licence be **approved**.

33 Town Police Clauses Act 1847 & Local Government (Miscellaneous Provisions) Act 1976 - Renewal of Hackney Carriage & Private Hire driver's Licence - TAA.

The Licensing, Food & Safety Manager, detailed the background in respect of TAA.

Members' asked questions of the Officers who responded accordingly.

TAA explained the circumstances relating to the conviction and answered Members' questions.

Following a request by TAA, the Lawyer advising the Committee viewed documents referred to by TAA and advised Members on the contents.

Resolved that TAA receive a strong warning letter regarding future conduct.

34 Passengers in Wheelchairs - Request for an Exemption Certificate - MAC.

The Licensing, Food & Safety Manager, detailed the background in respect of MAC.

MM explained the circumstances relating to the application and answered Members' questions.

Resolved that MAC's application for an Exemption Certificate be **approved** for 24 months.

35 Immediate Action Update/Results of Appeals.

The Immediate Action Update/Results of Appeals was **noted**.

Minutes of the General Licensing Committee (13.09.2019)
Cont'd

The meeting ended at 11.52 am

Chair