

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

HELD AT THE CIVIC CENTRE, SWANSEA ON FRIDAY, 30 MAY 2014 AT
10.00 AM

PRESENT: P M Matthews (Chair) presided

Councillor(s)	Councillor(s)	Councillor(s)
A C S Colburn	P Lloyd	T H Rees
D W Cole	K E Marsh	H M Morris
C E Lloyd	B G Owen	C L Philpott

Officers:-

Y Lewis – Licensing Officer
K Thomas – Licensing Officer
L Thomas – Senior Lawyer
G Borsden – Democratic Services Officer

5 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors P Downing and AS Lewis.

6 **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 P Lloyd – Personal – Minute No.8 LJ – I know the applicant and left prior to discussion.

Councillor P Lloyd – Personal – Minute No.12 BL – I know one of the representatives who attended.

Councillor KE March – Personal – Minute No.12 BL – The solicitor representing BL is a relative and left prior to discussion.

7 **MINUTES:**

RESOLVED that the minutes of the following meetings be approved as correct records -

- 1) General Licensing Committee held on 25 April 2014.
- 2) General Licensing Committee held on 8 May 2014

8 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 -
APPLICATION TO LICENCE A RESTRICTED PRIVATE HIRE VEHICLE, FORD
GALAXY, REGISTRATION MARK NC53 ONR - MR LEE JONES.**

Members inspected the vehicle.

The Licensing Officer advised that an application for a restricted private hire vehicle licence had been received from Mr Jones. The vehicle was a blue Ford Galaxy, Registration Mark NC53 0NR and is capable of carrying 6 passengers.

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 and legislation relating to the licensing of private hire vehicles.

Members asked questions of the Officer who responded accordingly.

Members asked questions of Mr Jones who responded accordingly.

RESOLVED that the application made by Mr Jones for a restricted private hire vehicle licence for the Ford Galaxy, Registration Mark NC53 0NR for the purpose of airport travel, executive hire and school contracts only be **APPROVED** and renewed on merit.

9 **TOWN POLICE CLAUSES ACT 1847 - APPLICATION TO SUBSTITUTE A HACKNEY CARRIAGE VEHICLE - SKODA RAPID, REGISTRATION MARK YN63 YSS - MR VLADIMIRS SIDORENKO.**

Members inspected the vehicle.

The Licensing Officer advised that an application to substitute a vehicle on an existing hackney carriage vehicle licence had been received from Mr Sidorenko. The vehicle was a black Skoda Rapid, Registration Mark YN63 YSS and is capable of carrying 4 passengers.

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 and legislation relating to the licensing of hackney carriage vehicles.

Members asked questions of the Officer who responded accordingly.

Members asked questions of Mr Sidorenko who responded accordingly.

RESOLVED that the application made by Mr Sidorenko to substitute the black Skoda Rapid, Registration Mark YN63 YSS onto the hackney carriage vehicle licence 4081 **BE APPROVED**.

10 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE A RESTRICTED PRIVATE HIRE VEHICLE, HUMMER H2, REGISTRATION MARK W9 HUM - MR ANDREW SMITH.**

Members inspected the vehicle.

The Licensing Officer advised that an application to licence a restricted private hire vehicle had been received from Mr Smith. The vehicle was a Hummer H2, Registration Mark W9 HUM, is left hand drive and is capable of carrying 5 passengers.

Members' noted the background, relevant issues in relation to restricted private hire vehicles, the Department of Transport – Taxi and Private Hire Licensing, best practice guidance March 2010 and legislation relating to the licensing of restricted private hire vehicles.

Members asked questions of the Officer who responded accordingly.

Members' asked questions of Mr Smith who responded accordingly.

RESOLVED that the application made by Mr Smith for a restricted private hire vehicle licence in respect of the Hummer H2, Registration Mark H2 HUM for the purpose of executive hire only be **APPROVED** and renewed on merit.

11 **EXCLUSION OF THE PUBLIC.**

The Committee were requested to exclude the public from the meeting during consideration of the items of business identified in the recommendations to the report on the grounds that they involve 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 items 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 on the agenda.

12 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE 1125 - BL.**

The Licensing Officer and Senior Lawyer reported on the request from BL's solicitor to defer the matter until the 27 June meeting in order that certain legal issues relating to the Officers report are able to be clarified.

RESOLVED that the matter be deferred to the June 27 meeting in order for BL's solicitor to clarify various legal issues contained in the report.

(Note: Following deferment the representatives of both the complainants and South Wales Police present were advised of the decision and the reason behind it.)

13 **EQUALITY ACT 2010 - PASSENGERS IN WHEELCHAIRS - REQUEST FOR AN EXEMPTION CERTIFICATE - MS.**

The Licensing Officer reported on the request form MS for an exemption certificate from carrying wheelchairs for a six month period due to a shoulder injury.

The report from MS's doctor was detailed.

Members asked questions of MS who responded accordingly.

RESOLVED that the request from MS for an exemption from carrying wheel chair users in his hackney carriage vehicle for the period until 30 November 2014 **BE APPROVED**.

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

The Licensing Officer detailed the background details in respect of PRH.

PRH outlined the background details and circumstances relating to the offences and answered Members' questions.

Members asked questions of the Officer who responded accordingly.

RESOLVED that PRH's application for the grant of a hackney carriage and private hire driver's licence be **APPROVED** subject to a warning letter regarding his future conduct.

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

The Licensing Officer detailed the background details in respect of HJ.

HJ outlined the background details and circumstances relating to the offences and answered Members' questions.

RESOLVED that HJ's application for the grant of a hackney carriage and private hire driver's licence be **APPROVED** subject to a warning letter regarding his future conduct.

The meeting ended at 11.23 am

CHAIR