

# CITY AND COUNTY OF SWANSEA

## MINUTES OF THE SPECIAL GENERAL LICENSING COMMITTEE

HELD AT COUNCIL CHAMBER - CIVIC CENTRE ON FRIDAY, 20 JUNE  
2014 AT 10.00 AM

**PRESENT:** Councillor P M Matthews (Chair) Presided

| <b>Councillor(s)</b>   | <b>Councillor(s)</b> | <b>Councillor(s)</b> |
|------------------------|----------------------|----------------------|
| D W Cole               | B G Owen             | A S Lewis            |
| P Downing (Vice Chair) | T H Rees             | H M Morris           |
| P Lloyd                |                      |                      |

**Officers:**

|           |   |                             |
|-----------|---|-----------------------------|
| Y Lewis   | – | Licensing Officer           |
| R Jenkins | – | Licensing Officer           |
| L Thomas  | – | Senior Lawyer               |
| S Woon    | – | Democratic Services Officer |

16 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors A C S Colburn, C E Lloyd, K E Marsh and C L Philpott.

17 **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.

18 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 -  
APPLICATION TO LICENCE A RESTRICTED PRIVATE HIRE VEHICLE,  
CHEVROLET BEL AIR, REGISTRATION MARK 233 UXR - MR GARY MORGAN.**

Members inspected the vehicle.

The Licensing Officer advised that an application for a restricted private hire vehicle licence had been received from Mr Morgan. The vehicle was a red and white Chevrolet Bel Air, Registration Mark 233 UXR and capable of carrying 5 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 Morgan who responded accordingly.

**RESOLVED** that the application made by Mr Morgan for a restricted private hire vehicle licence in respect of the red and white Chevrolet Bel Air, Registration Mark 233 UXR for the purpose of executive hire only be **REFUSED**.

**Reason for Decision**

The Committee were not satisfied the vehicle was suitable in type size and design for use as a private hire vehicle and / or safe as the vehicle was left hand drive and the seats were not fitted with safety belts.

19 **TOWN POLICE CLAUSES ACT 1847 - APPLICATION TO SUBSTITUTE A HACKNEY CARRIAGE VEHICLE - MERCEDES C220, REGISTRATION MARK LN10 YYR - MR SHAFIQUE MEAH.**

Members inspected the vehicle.

The Licensing Officer advised that an application to substitute a vehicle on an existing private hire vehicle licence had been received from Mr Meah. The vehicle was a black Mercedes Benz, Registration Mark LC10 YYR 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 private hire vehicles.

Members asked questions of the Officer who responded accordingly.

Members asked questions of Mr Meah who responded accordingly.

**RESOLVED** that the application made by Mr Meah to substitute the black Mercedes Benz, Registration Mark LC10 YYR onto the hackney carriage vehicle licence HC 4023 **BE APPROVED**.

20 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO SUBSTITUTE A PRIVATE HIRE VEHICLE - SKODA OCTAVIA ESTATE, REGISTRATION MARK CP10 GXT - MR MICHAEL GREGORY MURPHY.**

Members inspected the vehicle.

The Licensing Officer advised that an application to substitute a private hire vehicle licence had been received from Mr Murphy. The vehicle was a white Skoda Octavia Estate, Registration Mark CP10 GXT 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 private hire vehicles.

Mr Murphy spoke in support of his application.

**RESOLVED** that the application made by Mr Murphy to substitute a private hire vehicle licence for the Skoda Octavia Estate, Registration Mark CP10 GXT onto the private hire vehicle licence 4260, be **APPROVED** and renewed on merit.

21 **REQUEST FOR AUTHORISATION TO GRANT VEHICLE APPLICATIONS OUTSIDE OF CURRENT AGE CRITERIA.**

The Licensing Officer advised that increasing numbers of applications are being reported to the General Licensing Committee for decision as they do not comply with the Council's current licensing criteria relating to the type and age of vehicles.

The Licensing Officer detailed the current position, the proposal and the recommendations.

Members' asked questions of the Officer who responded accordingly.

**RESOLVED** that Members authorise officers of the Licensing Section to grant vehicle licences in respect of vehicle applications, up to 5 years old, that do not comply with the current age criteria for licensing vehicles, subject to the vehicle passing the Council's inspection and meeting all other application criteria.

22 **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.

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

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

LW, assisted by his Mother [SW], outlined the background details and circumstances relating to the offences and answered Members' questions.

**RESOLVED** that LW's application for the grant of a hackney carriage and private hire driver's licence be **APPROVED**.

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

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

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

Members' asked questions of SPR who responded accordingly.

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

**Reason for Decision**

The Committee did not deem SPR a fit and proper person as Members had concerns over his suitability in view of the additional 3 motoring convictions since he was last before the committee in 2005. In light of the reoffending Members felt insufficient time free from convictions had elapsed since the re-instatement of his DVLA driving for a hackney carriage and private hire drivers licence to be granted.

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

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

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

**RESOLVED** that

1. MAI's application for the renewal of a hackney carriage and private hire driver's licence be **APPROVED** subject to a warning letter regarding his future conduct;
2. No further action be taken in respect of MAI's vehicle licence HC7 167.

The meeting ended at 11.10 am

**CHAIR**