

# **CITY AND COUNTY OF SWANSEA**

## **MINUTES OF THE GENERAL LICENSING COMMITTEE**

**HELD AT COMMITTEE ROOM 1, CIVIC CENTRE, SWANSEA ON  
FRIDAY, 10 JULY 2015 AT 10.00 AM**

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

<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
A C S Colburn	P Downing	K E Marsh
D W Cole	V M Evans	C L Philpott
A M Cook	P Lloyd	T H Rees
J P Curtice		

### **Officers:**

L Anthony	-	Divisional Licensing Officer
K Thomas	-	Licensing Officer
L Thomas	-	Senior Lawyer
S Woon	-	Democratic Services Officer

### 15 **APOLOGIES FOR ABSENCE.**

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

### 16 **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. 18 - Local Government (Miscellaneous Provisions) Act 1976 – Application to Licence a Private Hire Vehicle, Skoda Octavia, Registration Mark GN10 GAX – Mr D Jones. Mr D Jones is known to me. Councillor V M Evans left the meeting prior to consideration of the item.

Councillor P Lloyd – Personal – Minute no. 18 - Local Government (Miscellaneous Provisions) Act 1976 – Application to Licence a Private Hire Vehicle, Skoda Octavia, Registration Mark GN10 GAX – Mr D Jones. Mr D Jones is known to me. Councillor P Lloyd left the meeting prior to consideration of the item.

### 17 **MINUTES:**

**RESOLVED** that the minutes of the General Licensing Committee held on 12 June, 2015, be agreed as a correct record.

18 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE A PRIVATE HIRE VEHICLE, SKODA OCTAVIA, REGISTRATION MARK GN10 GAX - MR D JONES.**

The Divisional Licensing Officer advised Mr D Jones had failed to attend the meeting.

The Divisional Licensing Officer advised that an application for a private hire vehicle licence had been received from Mr D Jones. The vehicle was a white Skoda Octavia type, Registration Mark GN10 GAX and was capable of carrying 4 passengers.

Members' noted the Inspections and Documents, Department of Transport Taxi and Private Hire Licensing: Best Practice Guidance: March 2010; and Legislation relating to the Licensing of Private Hire Vehicles.

**RESOLVED** that:

- a. The matter be dealt with in the absence of Mr D Jones; and
- b. the application made by Mr D Jones for a Private Hire Vehicle Licence in respect of the Skoda Octavia type, Registration Mark GN10 GAX be **GRANTED** and renewed on merit.

19 **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)**

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

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

SLP outlined the background details and circumstances and answered Members' questions.

**RESOLVED** that SLP's request for the grant of a hackney carriage and private hire driver's licence be **GRANTED**.

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

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

SJM, accompanied by his partner and Mr Cutajar, Swallow Cabs outlined the background details and circumstances and answered Members' questions.

**RESOLVED** that SJM's request for the grant of a hackney carriage and private hire driver's licence be **REFUSED** under Sections 51 and 59 of the Local Government (Miscellaneous Provisions) act 1976.

**Reason for Decision**

- a. SJM presented at Committee as vulnerable.
- b. The Committee noted a history of change of addresses meaning there was no address for the purposes of regulation and a history of not being contactable. This had resulted in him driving a taxi for a period of time without holding a DVLA licence and summonses not being received by him. SJM is currently using a c/o address being Mr Cutajar's office address.
- c. SJM displayed an inability to recollect details sought by the Committee, regarding offences committed.
- d. SJM indicated a difficulty expressing himself and was illiterate. There were concerns over mail not being adequately dealt with and SJM's ability to act to the standard required for a taxi driver.
- e. While licenced SJM had received 3 warning letters for same enforcement issue which did not result in any change of behaviour.
- f. Incident in para no 13 raised concerns as to suitability, clearly must have been a serious argument to warrant removal by police for him to "calm down" overnight in a police cell. Further aggravated by the fact SJM stated he refused to vacate cell when requested to by the police and was then bound over. There was a clear failure to comply with a reasonable request by police.

22 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT  
(MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE AND  
PRIVATE HIRE DRIVER LICENCE - VR.**

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

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Cont'd

VR, accompanied by Mr Havard, Killay, Sketty and Station Cabs outlined the background details and circumstances and answered Members' questions.

**RESOLVED** that VR be issued with a final warning letter regarding future conduct.

The meeting ended at 11.29 am

**CHAIR**