

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON FRIDAY,
11 MARCH 2016 AT 10.00 AM

PRESENT: Councillor P M Matthews (Chair) Presided

Councillor(s)

A C S Colburn
J P Curtice
K E Marsh
T H Rees

Councillor(s)

D W Cole
P Downing
H M Morris

Councillor(s)

A M Cook
P Lloyd
C L Philpott

Officer(s)

Lynda Anthony
Aled Gruffydd
Richard Jenkins
S Woon

Divisional Officer, Food Safety & Licensing
Senior Lawyer
Licensing Officer
Democratic Services Officer

106 **APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor V M Evans.

107 **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 – Minute No. – Local Government (Miscellaneous Provisions) Act 1976 – Application to Licence a Private Hire (Ford Transit) – David John Jones.

Councillor J P Curtice – Minute No. 109 – 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 – JML. Applicant is known to me. Councillor J P Curtice left the meeting prior to consideration of the item.

Councillor D W Cole – Minute No. 109 – 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 – JML. Applicant is known to me. Councillor J P Curtice left the meeting prior to consideration of the item.

108 **MINUTES.**

RESOLVED that the minutes of the General Licensing Committee held on 12 February, 2016 be agreed as a correct record.

109 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION TO LICENCE A PRIVATE HIRE VEHICLE (FORD TRANSIT) - DAVID JOHN JONES.**

The Divisional Officer, Licensing, Food and Safety advised that an application to licence a private hire vehicle had been received from Mr D J Jones. The vehicle was a White Ford Transit, registration mark BX10 LFB and was capable of carrying seven passengers.

The vehicle did not comply with the current licensing criteria set out by the Authority due to its age.

Members noted the inspections and documents, Department of Transport, Taxi and Private Hire Licensing: Best Practice Guidance: March 2010; and the legislation relating to the licensing of Private Hire Vehicles.

RESOLVED that the application made by Mr D J Jones for a private hire vehicle licence in respect of the white ford transit, vehicle registration mark BX10 LFB **BE APPROVED** and renewed on merit.

110 **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)

111 **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 - JML.**

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of JML.

JML outlined the background details and circumstances relating to the conviction and answered Members' questions.

RESOLVED that JML's application for a Restricted Hackney Carriage and Private Hire Driver's Licence **BE APPROVED** and a strong warning letter be issued regarding future conduct.

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

The Divisional Officer, Licensing, Food and Safety, detailed the background information in respect of BLJD.

BLJD outlined the background details and circumstances relating to the conviction and answered Members' questions.

RESOLVED that BLJD be issued with a strong warning letter regarding future conduct.

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

The Divisional Officer, Licensing, Food and Safety, advised that RDC had failed to attend the meeting.

The Divisional Officer, Licensing, Food and Safety outlined the background details in respect of RDC.

RESOLVED that:

- a. The matter be dealt with in RDC's absence as there had been no explanation for RDC's non- attendance;
- b. RDC's application for a Hackney Carriage and Private Hire Driver's Licence **BE REFUSED**.

Reason for Decision

The reasons for the refusal, was that Members did not consider RDC to be a fit and proper person as they resolved that the convictions dated 23 October 2012 were considered sufficiently serious to warrant a 5 year period free from conviction in view of the similar regulatory requirements for driving taxis.

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

The Divisional Officer, Licensing, Food and Safety, advised that CTH had failed to attend the meeting.

The Divisional Officer, Food Safety and Licencing outlined the background details in respect of CTH.

RESOLVED that:

- a. The matter be dealt with in CTH's absence as there had been no explanation for CTH's non- attendance;
- b. CTH's application for a Hackney Carriage and Private Hire Driver's Licence **BE REFUSED**.

Reason for Decision

The Applicant's Private Hire and Hackney Carriage Drivers' Licence was revoked by this Committee on the grounds of traffic offences. The Applicant has since committed a further offence which resulted in a disqualification for totting up. The applicant was not deemed a fit and proper person due to persistent and continuous traffic offences.

The meeting ended at 10.43 am

CHAIR