

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

**HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON FRIDAY,
13 MAY 2016 AT 10.00 AM**

PRESENT: Councillor P M Matthews (Chair) Presided

Councillor(s)

A C S Colburn

J P Curtice

K E Marsh

Councillor(s)

D W Cole

V M Evans

H M Morris

Councillor(s)

A M Cook

P Lloyd

C L Philpott

Officer(s)

L Anthony

R Jenkins

L Thomas

S Woon

Divisional Officer, Licensing, Food & Safety

Licensing Officer

Senior Lawyer

Democratic Services Officer

128 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors A C S Colburn, D W Cole, P Downing, V M Evans and T H Rees.

129 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interest was declared:

Councillor P Lloyd – Personal – Minute no. 132 – Local Government (Miscellaneous Provisions) Act 1976 – Application to Licence a Restricted Private Hire Vehicle – Ford Galaxy – Registration Mark WX53 AFO – Mr L Jones – Applicant is known to me. Councillor Lloyd left the meeting prior to consideration of the item.

Councillor P Lloyd – Personal – Minute no. 133 – Local Government (Miscellaneous Provisions) Act 1976 – Application to Licence a Restricted Private Hire Vehicle – Ford S Max0 – Registration Mark GX07 BHK – Mr D Jones – Applicant is known to me. Councillor Lloyd left the meeting prior to consideration of the item.

130 **MINUTES:**

RESOLVED that the Minutes of the General Licensing Committee held on 8 April, 2016 be agreed as a correct record.

131 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 -
APPLICATION TO LICENCE A RESTRICTED PRIVATE HIRE VEHICLE -
VAUXHALL VECTRA, REGISTRATION MARK NA55 BBU - MR M BENJAMIN.**

The Divisional Officer, Licensing, Food and Safety advised that an application to licence a private hire vehicle had been received from Mr M Benjamin. The vehicle was a Vauxhall Vectra, registration mark NA55 BBU and was capable of carrying four 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.

Members asked questions of Mr Benjamin who responded accordingly.

RESOLVED that the application made by Mr M Benjamin for a private hire vehicle licence in respect of the Vauxhall Vectra, registration mark NA55 BBU **BE APPROVED** and renewed on merit.

132 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 -
APPLICATION TO LICENCE A RESTRICTED PRIVATE HIRE VEHICLE - FORD
GALAXY - REGISTRATION MARK - WX53 AFO - MR L JONES.**

The Divisional Officer, Licensing, Food and Safety advised that an application to licence a private hire vehicle had been received from Mr L Jones. The vehicle was a Ford Galaxy, registration mark WX53 AFO and was capable of carrying six 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.

Members asked questions of Mr L Jones who responded accordingly.

RESOLVED that the application made by Mr L Jones for a private hire vehicle licence in respect the Ford Galaxy, registration mark WX53 AFO of the **BE APPROVED** and renewed on merit.

133 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 -
APPLICATION TO LICENCE A RESTRICTED PRIVATE HIRE VEHICLE - FORD S
MAX - REGISTRATION MARK GX07 BHK - MR D JONES.**

The Divisional Officer, Licensing, Food and Safety advised that an application to licence a private hire vehicle had been received from Mr D Jones. The vehicle was a

Ford S Max, registration mark GX07 BHK and was capable of carrying six 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.

Members asked questions of Mr L Jones who responded accordingly.

RESOLVED that the application made by Mr D Jones for a private hire vehicle licence in respect the Ford S Max, registration mark GX07 BHK of the **BE APPROVED** and renewed on merit.

134 **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)

135 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - DUAL BADGE DRIVER- HACKNEY CARRIAGE VEHICLE PROPRIETOR - AA.**

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

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

RESOLVED that:

- a) AA receive a warning letter with a comment that AA must, going forward, act in an appropriate manner in keeping with a taxi driver having regard to the safety of the travelling public. Furthermore, the Committee did not expect to see AA again; and
- b) No action be taken in respect of the vehicle licence.

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

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

CWJ outlined the background details and circumstances relating to the incident and answered Members' questions.

RESOLVED that CWJ receive a warning letter regarding future conduct, specifically highlighting that CWJ's behaviour falls below that expected of a taxi driver licensed by the City and County of Swansea.

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

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

MDM outlined the background details and circumstances relating to the incident and answered Members' questions.

RESOLVED that MDM's application for a Hackney Carriage and Private Hire Driver's Licence **BE APPROVED**.

The meeting ended at 11.21 am

CHAIR