

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON FRIDAY, 9
SEPTEMBER 2016 AT 10.00 AM

PRESENT: Councillor P M Matthews (Chair) Presided

Councillor(s)

C Anderson

J P Curtice

H M Morris

Councillor(s)

A C S Colburn

P Lloyd

C L Philpott

Councillor(s)

A M Cook

K E Marsh

T H Rees

Officer(s)

L Anthony

A Gruffydd

R Jenkins

B Gilbert

S Woon

Divisional Officer, Licensing, Food & Safety
Lawyer

Licensing Officer

Transport Officer

Democratic Services Officer

Apologies for Absence

Councillor(s): P Downing and V M Evans

42 **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.

43 **MINUTES:**

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

44 **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)

45 **APPEAL AGAINST DECISION NOT TO APPROVE AS A DRIVER FOR HOME TO SCHOOL TRANSPORT - PASG.**

The Transport Officer detailed the background information in respect of PASG.

PASG outlined the circumstances relating to the convictions and answered Members' questions.

RESOLVED that PASG's appeal against the decision not to approve as a Driver for Home to School Transport be **DISMISSED**.

Reason for Decision

The Committee did not believe that PASG would be able to emotionally support himself in difficult situations whilst transporting children.

The Committee were also of the opinion that the officer who declined approval for Home to School Transport did not wrongly apply the adopted guidelines for violence as part of the Council's school transport policy.

46 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - BJH.**

The Divisional Licensing Officer, Licensing, Food & Safety, detailed the background in respect of BJH.

BJH outlined the circumstances relating to the convictions and answered Members' questions.

RESOLVED that BJH's application for the grant of a hackney carriage and private hire driver's licence be **REFUSED** under Section 51 & 59 of the Local Government (Miscellaneous Provisions) Act 1976.

Reason for Decision

Members applied their adopted guidance of at least three clear years free of convictions should be shown before an application is entertained.

47 **TOWN POLICE CLAUSES ACT 18478 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - DUAL BADGE DRIVER - SMW.**

The Divisional Licensing Officer, Licensing, Food & Safety, detailed the background in respect of SMW.

SMW outlined the circumstances relating to the convictions and answered Members' questions.

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

48 **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 - TBC.**

The Divisional Licensing Officer advised that TBC had failed to attend the meeting and no request had been received for a deferment of consideration of the matter.

The Divisional Licensing Officer, Licensing, Food & Safety, detailed the background in respect of TBC.

RESOLVED that:

- a) The matter be dealt with in TBC's absence;
- b) TBC's application for the grant of a restricted hackney carriage and private hire driver's licence be **REFUSED** under Section 51 & 59 of the Local Government (Miscellaneous Provisions) Act 1976.

Reason for Decision

Members adhered to their adopted policy in relation to a period of 3 to 5 years free of any convictions be required before entertaining an application.

The meeting ended at 11.11 am

CHAIR