



City and County of Swansea

Minutes of the **General Licensing Committee**

Council Chamber, Guildhall, Swansea - Guildhall, Swansea

Friday, 10 November 2017 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)

C Anderson
P Lloyd
B J Rowlands

Councillor(s)

J P Curtice
H M Morris
L G Thomas

Councillor(s)

V M Evans
C L Philpott
L V Walton

Officer(s)

Lynda Anthony
Gareth Borsden
Barrie Gilbert
Aled Gruffydd
Yvonne Lewis
Tim Mitchell

Divisional Officer, Licensing, Food and Safety
Democratic Services Officer
Senior Transport Officer
Lawyer
Team Leader, Licensing
School Transport Officer

Apologies for Absence

Councillor(s): P Downing and S J Gallagher

54 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 – Personal – Minute No 59 – Hackney Carriage & Private Hire Driver - RVW - I know the person accompanying the complainant and left prior to discussion.

55 Minutes.

Resolved that the minutes of the General Licensing Committee held on 13 October be agreed as a correct record.

56 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.

Resolved that the public be excluded for the following items of business.

(Closed Session)

57 Appeal against decision to not approve as a Driver for Home to School Transport - CBB.

The Senior Transport Officer detailed the background in respect of CBB's appeal against the decision of Officers to refuse his application for a licence to work as a driver on school contract transport services.

CBB accompanied by Mr T (Works Line Manager) explained the background and circumstances of his caution and answered the questions of Members relating to the incident.

Resolved that CBB's appeal against the decision not to approve him as a driver for home to school transport be allowed. A warning letter regarding his future conduct should also be sent.

58 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage and Private Hire Driver's Licence - RVW.

The Divisional Officer, Licensing, Food & Safety detailed the background in respect of a complaint received regarding RVW, and his failure to convey two people and their guide dogs.

Members asked questions of the Officer who responded accordingly.

RVW explained the circumstances relating to the incident and answered Members questions relating to the matter. He outlined his understanding of the current byelaws and referred to, and outlined the guidance he had obtained from the Guide Dogs for the Blind website.

The two complainants and the representative from Guide Dogs Cymru detailed their views on the incident and answered Members questions relating to the matter.

The lawyer advising the committee, following questions from Members gave advice relating to the issues to be considered by Members.

Resolved

- 1) that no action be taken against RVW but he be issued with an advisory letter regarding how the General Licensing Committee expect him to assist passengers including guide dog owners in the future.
- 2) that the Department look at the issue of the carrying of Guide Dogs in saloon cars, with a view to issuing guidance to the trade on the matter.

59 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage and Private Hire Driver's Licence - BS.

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of BS's hackney carriage and private hire driver's licences and vehicle licence and outlined the conviction received by BS.

She indicated that BS had informed the Department of his conviction.

BS explained the personal circumstances of the offence and conviction and answered Member questions relating to the matter.

Resolved that no action be taken against BS, but he be reminded of his responsibilities and duties as a taxi driver when carrying passengers.

60 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Dual Driver - MGM - Private Hire Vehicle Proprietor - Hackney Carriage Vehicle Proprietor - Private Hire Operator, MC Ltd.

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of MGM's hackney carriage and private hire driver's licences, vehicle licences and operator's licence and outlined the caution received by MGM.

She indicated that MGM had informed the Department of his caution.

MGM explained the circumstances of the offence and answered Member questions relating to the matter.

Resolved that no action be taken against MGM's licences, but he be sent a strong warning letter regarding his future conduct and he be reminded of his responsibilities to comply with all the necessary rules and regulations in his role as a taxi driver, vehicle owner and operator.

The meeting ended at 12.10 pm

Chair