



City and County of Swansea

Minutes of the **General Licensing Committee**

Council Chamber, Guildhall, Swansea

Friday, 10 August 2018 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)

C Anderson
P Downing
H M Morris
L V Walton

Councillor(s)

J P Curtice
S J Gallagher
C L Philpott

Councillor(s)

N J Davies
P Lloyd
L G Thomas

Officer(s)

Lynda Anthony
Paula Livingstone
Kath Thomas
Lyndsay Thomas
Samantha Woon

Licensing, Food and Safety Manager
Team Leader, Housing and Public Health
Licensing Officer
Senior Lawyer
Democratic Services Officer

Observers:

School Transport Officers.

Apologies for Absence

Councillor(s): B J Rowlands

22 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.

23 Minutes:

Resolved that the minutes of the General Licensing Committee held on 13 July, 2018 be agreed as a correct record.

24 Local Government (Miscellaneous Provisions) Act 1976 - Restricted Private Hire Vehicle - Request for Exemption from Displaying the Door Stickers and the Licence Plate - Restricted Private Hire Vehicle RV 178 and 308 - Mr Paul Matthews.

The Licensing, Food & Safety Manager advised that Mr Matthews had submitted a request for an exemption from displaying the door stickers and licence plate on the exterior of his restricted private hire vehicles, FL13 HLC and EO17 VJF. The reason

for the request was that his business was pre-booked executive travel/airport runs and he did not use the vehicle for school runs or taxi work.

Members asked questions of the Officers who responded accordingly.

Mr Matthews spoke in support of his application.

Members' noted the current conditions and asked questions of Mr Matthews.

Resolved that Mr Matthews request for an exemption from displaying the door stickers and licence plate on the exterior of his restricted private hire vehicles, FL13 HLC and EO17 VJF be **Granted** with the following conditions:

1. The restricted licence issued by the Council must be displayed in the front windscreen of the vehicle on the nearside. It must be clearly visible at all times when the vehicle is being used for executive hire and airport travel. The vehicle licence must be returned to the Council on expiry;
2. This exemption does not apply if the vehicle is to be used for school transport.

25 Exemption from Displaying Licence Plate and Door Decals on Restricted Private Hire Vehicles.

The Licensing, Food & Safety Manager advised that at the General Licensing Committee had requested that consideration be made for Licensing Officers to be given delegated authorisation to approve requests for exemptions from displaying licence plates and door decals.

Members noted the background, current position and proposed procedure.

Members' asked questions of the Officers.

Resolved that Licensing Officers of the Licensing Section be **authorised** to approve requests for exemptions from displaying licence plates and door decals on restricted private hire vehicles where the vehicles are only used to airport transfer and executive hire and not for school transport. Additionally, a condition reflecting this is to be attached to each individual vehicle licence.

26 Rear Wheelchair Accessible Hackney Carriage Vehicles.

The Licensing, Food & Safety Manager advised that at the General Licensing Committee had requested that consideration be made for Licensing Officers to be given delegated authorisation to approve requests for rear loading, wheelchair accessible vehicles to be licensed as a hackney carriage.

Members noted the proposed procedure and asked questions of the Officers.

Resolved that the report be deferred pending further information regarding safety from Mid and West Wales Fire Authority (or other professionals deemed appropriate by Licensing Officers).

27 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)

28 Results of Appeals.

The Licensing, Food & Safety Manager and Team Leader, Housing & Public Health provided background information in relation to the three appeals detailed in the report.

The Immediate Action Update was noted.

29 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Restricted Hackney Carriage and Private Hire Driver - SAC.

The Licensing, Food & Safety Manager detailed the background in respect of SAC's restricted hackney carriage and private hire driver's licences and outlined the conviction received by SAC.

Members asked questions of the Officers who responded accordingly.

SAC, accompanied by KW explained the circumstances of the conviction and answered Member questions relating to the matter.

Resolved that SAC be issued with a warning letter regarding future conduct particularly in relation to notifications and legal compliance.

30 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage and Private Hire driver - NM.

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

NM explained the circumstances of the conviction and answered Member questions relating to the matter.

Resolved that NM be issued with a warning letter regarding future conduct and compliance with Licensing requirements.

31 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Renewal of Hackney Carriage and Private Hire Driver - AS.

The Licensing, Food and Safety Manager detailed the background in respect of AS's application for renewal his hackney carriage and private hire driver's licence.

AS explained the circumstances relating to his offences and answered Members' questions.

The Lawyer advising the Committee clarified AS's mitigation.

Resolved that AS be issued with a warning letter regarding future conduct.

32 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 - PJA.

The Licensing, Food and Safety Manager advised that PJA had failed to attend the meeting or submit a request for deferment.

The Licensing, Food and Safety Manager detailed the background in respect of PJA's application for the grant of a restricted hackney carriage and private hire driver's licence.

Resolved that:

1. The matter be considered in PJA's absence; and
2. PJA's application for the grant of a restricted hackney carriage and private hire driver's licence be **refused**.

Reason for decision

The Committee were not satisfied that PJA was a fit and proper person based on the information before them and their inability to seek clarification from PJA.

The meeting ended at 12.19 pm

Chair