



City and County of Swansea

Minutes of the **General Licensing Committee**

Council Chamber - Guildhall, Swansea

Friday, 6 December 2019 at 10.00 am

Present: Councillor P M Matthews (Chair) Presided

Councillor(s)

C Anderson
P Lloyd
B J Rowlands

Councillor(s)

N J Davies
H M Morris
L G Thomas

Councillor(s)

S J Gallagher
C L Philpott
L V Walton

Officer(s)

Yvonne Lewis
Aled Gruffydd
Richard Jenkins
Samantha Woon

Team Leader, Licensing
Lawyer
Licensing Officer
Democratic Services Officer

Apologies for Absence

Councillor(s): J P Curtice

8 Disclosures of Personal and Prejudicial Interest.

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

Councillor C Anderson – Minute no. – Town Police Clauses Act 1847 & Local Government (Miscellaneous Provisions) Act 1976 – Hackney Carriage and Private Hire Driver's Licence/Hackney Carriage Vehicle Licence – BJE. Applicant is known to me. Councillor Anderson withdrew from the meeting prior to consideration of this item.

9 Minutes.

Resolved that the Minutes of the General Licensing Committee held on 8 November, 2019 be agreed as a correct record.

10 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)

11 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 - GRJ.

The Team Leader, Licensing, detailed the background in respect of GRJ.

Members' asked questions of the Officers who responded accordingly.

GRJ explained the circumstances relating to the application and answered Members' questions.

Resolved that GRJ's application for a Restricted Hackney Carriage and Private Hire Driver's Licence be **refused**.

Reason for Decision

The Council's adopted guidance at paragraphs 4.40 and 4.41 require a period of 7 years free from the convictions incurred by the applicant. Members' were of the opinion that GRJ had failed to provide compelling mitigation to depart from the guidelines.

Members also considered paragraph 4.18 of the guidance which states that an isolated conviction if committed some time ago may not prevent the grant of a licence, however were of the view that it should be disappplied in this case in view of the fact that GRJ had undertaken multiple journeys on the day he was caught driving whilst disqualified and that this occurred shortly after losing his licence.

12 Town Police Clauses Act 1847 & Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage and Private Hire Driver's Licence/Hackney Carriage Vehicle Llicence - BJE.

The Team Leader, Licensing, advised that BJE had sought a deferment.

Members' adjourned to seek legal advice.

Resolved that BJE's application for a deferment be **approved**. However, should BJE fail to secure legal representation in time for the next meeting, the matter would be dealt with by the Committee.

The meeting ended at 10.58 am

Chair