



City and County of Swansea

Minutes of the **General Licensing Committee**

Council Chamber, Guildhall, Swansea

Friday, 8 September 2017 at 10.00 am

Present: P M Matthews (Chair) Presided

Councillor(s)

V M Evans
C L Philpott
L V Walton

Councillor(s)

P Lloyd
B J Rowlands

Councillor(s)

H M Morris
L G Thomas

Officer(s)

Lynda Anthony
Aled Gruffydd
Yvonne Lewis
Samantha Woon

Divisional Officer, Licensing, Food and Safety
Lawyer
Senior Licensing Officer
Democratic Services Officer

Apologies for Absence

Councillor(s): C Anderson, J P Curtice, P Downing and S J Gallagher
Independent Member(s):

37 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.

38 Minutes:

Resolved that the minutes of the General Licensing Committee held on 11 August, 2017 be **agreed** as a correct record.

39 Equality Act 2010.

The Divisional Officer, Licensing, Food and Safety presented a report in relation to Section 165 and 167 of the Equality Act 2010.

Members noted the background, requirements of the Equality Act 2010 and Officer Observations.

Resolved that a list of designated vehicles be published and maintained in accordance with the Equality Act 2010.

40 Response to Welsh Government Consultation Document - Taxi and Private Hire Vehicle Licensing in Wales.

The Divisional Officer, Licensing, Food and Safety, presented a report which detailed the Welsh Government Consultation document issued on 12 June, 2017 which sought views on the framework for licensing taxis and private hire vehicles proposed by the Law Commission for England and Wales.

Members noted the executive summary, the consultation and response for consideration.

Resolved that the response detailed at Appendix B of the report be submitted to the Welsh Government for consideration.

41 Proposal to Amend Restricted Private Hire Vehicle Condition 23.

The Divisional Officer, Licensing, Food and Safety, presented a report which sought consideration of amending the existing condition which stipulates where the licence must be displayed on the vehicle.

Members noted the current condition, background and proposals.

Resolved that the restricted private hire vehicle condition 23 be amended to state the following:

“Vehicle plates and stickers must be securely fixed to the vehicle. The vehicle plate is to be fixed on the bumper bar or boot lid/rear door between centre line and the offside of the vehicle. Stickers must be affixed to the front near and offside doors of the vehicle. The plate and stickers must be kept clearly visible at all times. The vehicle plate must be returned to the Council on expiry of the licence.”

42 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)

43 Local Government (Miscellaneous Provisions) Act 1976 - Application for a private hire operator licence - UBL.

The Divisional Officer, Licensing, Food and Safety, detailed the background in respect of UBL's application for a Private Hire Operators Licence.

UBL explained the circumstances of the request and answered Members questions relating to the matter.

Resolved that UBL's request be **refused**.

Reason for Decision

The Committee did not believe that UBL was a Fit and Proper Person due to UBL's inability to comply with Condition 22.

44 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Application for hackney carriage and private hire driver's licence - II.

The Divisional Officer, Licensing, Food and Safety, detailed the background in respect of II's application for a Hackney Carriage and Private Hire Driver's Licence.

II explained the circumstances of the request and answered Members questions relating to the matter.

Resolved that:

- 1) II's licence be granted under Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 until 10 December, 2017; and
- 2) The proposed free of £87.00 for a period of 3 months is approved for the grant of this licence; and
- 3) The fee for the 3 month licence is added to the table of fees in paragraph 8 of the report.

45 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Application for hackney carriage and private hire driver's licence - MHIF.

The Divisional Officer, Licensing, Food and Safety, advised that MHIF had failed to attend the meeting and had not provided any reason for absence.

Officers provided advice.

Resolved that the matter be **deferred** to the next available meeting.

46 Equality Act 2010, Passengers in Wheelchairs - Request for an Exemption Certificate - MAC.

The Divisional Officer, Licensing, Food and Safety, detailed the background in respect of MAC's application for an Exemption Certificate.

MAC explained the circumstances of the request and answered Members questions relating to the matter.

Resolved that MAC's request for an exemption certificate be **approved** until 12 July 2018.

The meeting ended at 11.15 am

Chair