



City and County of Swansea

Minutes of the **General Licensing Committee**

Council Chamber, Guildhall, Swansea

Friday, 8 December 2017 at 10.00 am

Present: Councillor P M Matthews (Chair) presided
Councillor P Downing (Vice Chair) presided for item 69

Councillor(s)

C Anderson
V M Evans
H M Morris
L V Walton

Councillor(s)

J P Curtice
S J Gallagher
C L Philpott

Councillor(s)

P Downing
P Lloyd
L G Thomas

Officer(s)

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| L Anthony | Divisional Officer, Licensing, Food and Safety |
| A Evans | Environmental Health Officer |
| R Jenkins | Licensing Officer |
| P Livingstone | Divisional Officer, Housing Business Manager |
| L Thomas | Senior Lawyer |
| S Woon | Democratic Services Officer |

Apologies for Absence

Councillor(s): B J Rowlands

61 Disclosures of Personal and Prejudicial Interest.

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

Councillor C Anderson – Personal and Prejudicial - Minute No. 69 - 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 – FEB – FEB is known to me. Councillor C Anderson left the meeting prior to consideration.

62 Minutes.

Resolved that the minutes of the General Licensing Committee held on 10 November, 2017 be agreed as a correct record.

63 Result of Appeal.

The Divisional Officer, Licensing, Food & Safety presented a report which detailed the result of an appeal which was duly noted.

64 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)

65 HMO Licensing - Housing Act 2004, Fit & Proper Person Status - PA.

The Divisional Officer, Housing Business Manager, detailed the background in respect of HMO Licensing, Housing Act 2004, Fit and Proper Person Status in relation to PA.

Members' asked questions of the Officers who responded accordingly.

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

Resolved:

1. That Officers establish whether the outstanding works identified in the report had been completed and the relevant gas certificates required for the grant had been provided: and
2. The matter be deferred to the General Licensing Committee on 12 January, 2018.

66 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Equality Act 2010 - Passengers in Wheelchairs - Request for an Exemption Certificate - SPL.

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of SPL's request for an exemption certificate.

Members' asked questions of the Officer who responded accordingly.

SPL explained the circumstances relating to the request and answered Members' questions.

Resolved that SPL's request for an exemption from carrying wheelchair users be approved until 31 July 2018.

67 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Equality Act 2010 - Passengers in Wheelchairs - Request for an Exemption Certificate - LAJC.

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of LAJC's request for an exemption certificate.

Members' asked questions of the Officer who responded accordingly.

LAJC explained the circumstances relating to the request and answered Members' questions.

Resolved that LAJC's request for an exemption from carrying wheelchair users be approved until 8 December 2018.

68 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Equality Act 2010 - Passengers in Wheelchairs - Request for an Exemption Certificate - AK.

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of AK's request for an exemption certificate.

AK explained the circumstances relating to the request and answered Members' questions.

Resolved that AK's request for an exemption from carrying wheelchair users be approved until 8 June 2018.

[Councillor P Downing, Vice-Chair presided for Minute 69 only]

69 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 - FEB.

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of FEB's application for the grant of a hackney carriage and private hire drivers licence.

Members' asked questions of the Officers who responded accordingly.

FEB explained the circumstances of the offence and answered Members' questions.

Resolved that FEB's application for the grant of a hackney carriage and private hire drivers licence be **approved** and FEB receive a strong warning letter regarding future conduct.

[Councillor P M Matthews, Chair, presided]

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

The Chair and Senior Lawyer apologised and explained the circumstances resulting in the delay in hearing DM's case.

DM stated that, had DM been aware of the timing the Committee's consideration of the matter, he could have arranged legal representation.

Following an offer from the Chair to defer, DM confirmed that he wished to proceed.

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

DM explained the circumstances of the offences and answered Members' questions.

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

The meeting ended at 1.17 pm

Chair