

CITY AND COUNTY OF SWANSEA

MINUTES OF THE GENERAL LICENSING COMMITTEE

**HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON FRIDAY,
30 JUNE 2017 AT 10.00 AM**

PRESENT: Councillor P M Matthews (Chair) Presided

Councillor(s)

J P Curtice
P Lloyd
L G Thomas

Councillor(s)

V M Evans
C L Philpott
L V Walton

Councillor(s)

S J Gallagher
B J Rowlands

Officer(s)

Gareth Borsden
Richard Jenkins
Yvonne Lewis
Allison Lowe
Catherine Swain
Lyndsay Thomas

Democratic Services Officer
Licensing Officer
Senior Licensing Officer
Democratic Services Officer
Integrated Transport Unit Manager
Senior Lawyer

Apologies for Absence

Councillor(s): C Anderson, P Downing and H M Morris

Note:

Councillor BJ Rowlands was present as an observer only and did not vote on any of the matters below.

16 **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 V M Evans – Personal - Minute No 21 - Application for the Grant of a Hackney Carriage and Private Hire Drivers Licence – DM – I know the applicant and left prior to consideration of the item.

17 **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)

18 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - RESTRICTED DUAL BADGE DRIVER - SPM.**

The Senior Licensing Officer, detailed the background in respect of SPM.

SPM explained the circumstances of the convictions and answered Members' questions.

RESOLVED that SPM's application to renew their restricted dual badge drivers licence be **APPROVED** and SPM be issued with a strong warning letter regarding future conduct.

19 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE - AJM.**

The Senior Licensing Officer, detailed the background in respect of AJM.

AJM explained the circumstances of the caution and answered Members' questions. AJM's father spoke in support of the application.

RESOLVED that AJM's application for the grant of a hackney carriage and private hire drivers licence be **APPROVED** under sections 51 & 59 of the Local Government (Miscellaneous Provisions) Act 1976 and AJM be issued with a strong warning letter regarding future conduct.

20 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE - AS.**

The Senior Licensing Officer, detailed the background in respect of AS.

AS explained the circumstances of the convictions and answered Members' questions.

RESOLVED that AS's application for the grant of a hackney carriage and private hire drivers licence be **APPROVED** under sections 51 & 59 of the Local Government (Miscellaneous Provisions) Act 1976 and AS be issued with a strong warning letter regarding future conduct.

21 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE - DM.**

The Senior Licensing Officer, detailed the background in respect of DM.

The Integrated Transport Unit Manager provided an update on the original decision to approve DM as a passenger Assistant for school transport. This approval has been revoked in the light of further information received from South Wales Police.

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

RESOLVED that DM's application for the grant of a hackney carriage and private hire drivers licence be **REFUSED** under sections 51 & 59 of the Local Government (Miscellaneous Provisions) Act 1976.

Reason for Decision

DM failed to satisfy the members he was fit and proper and that he was acting out of character regarding his conviction for theft and he would not reoffend . Safety of travelling public was of paramount importance and members had real concerns over DM's confession he had misled police by giving them a false account of the circumstances which eventually lead to his conviction for theft .DM said his account to CS was true .DM admitted he took steps to ensure money went to his wife rather than other members of her family. DM suggested his mother in law had agreed to DM using her funds as she wanted the money to go to her daughter. This was in fact a third version. Members were particularly concerned about the police's report that his mother in law had notice served on her as she was unable to pay her care fees causing her distress and that she had no knowledge of her funds being used by DM.

The meeting ended at 11.08 am

CHAIR