

LICENSING COMMITTEE

Thursday, 23 May 2019

PRESENT: Councillor E.G. Thomas (Chair)

Councillors:

F. Akhtar, J.M. Charles, C.A. Davies, P.M. Edwards, W.T. Evans, A.L. Fox, J.K. Howell, T.J. Jones, J.S. Phillips, D.E. Williams and J.E. Williams

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager

J. Power, Senior Licensing Officer

P. Booth, Licensing Officer

K. Thomas, Democratic Services Officer

Representing Dyfed Powys Police – Mr M. Price

Chamber, - County Hall, Carmarthen. SA31 1JP. - 10.00 - 11.20 am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H.I. Jones and A. McPherson

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute Number	Nature of Interest
W.T Evans	6 – Mr Mark Edward John - Application for the grant of a Hackney Carriage / Private Hire Dual Drivers Licence	Knows the applicant
E. Williams	6 – Mr Mark Edward John - Application for the grant of a Hackney Carriage / Private Hire Dual Drivers Licence	Knows the applicant
W.T. Evans	7 – Mr Simon Allen Batten – Application for the grant of a Hackney Carriage / Private Hire Dual Drivers Licence	Knows the applicant

3. MR DAVID HAMILTON - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mr David Hamilton of Coed y Bryn, Llandysul, for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr Hamilton with regard to his application.

The Senior Licensing Officer advised that he had received a letter of support and character reference from Mr Hamilton's prospective employer. He recommended that Mr Hamilton's application be granted with a warning as to his future conduct.

The Committee thereupon:

RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

Following the adjournment the Committee reconvened to advise of its decision.

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr David Hamilton for the grant of a Hackney Carriage / Private Hire Dual Drivers licence be granted with a warning as to his future conduct.

Reasons

On the evidence presented, the Committee was satisfied that the applicant was a fit and proper person to hold a licence.

4. MR HUGH JOHN THOMAS - PRIVATE HIRE VEHICLE LICENCE

The Committee considered an application from Mr Hugh John Thomas of Huw's Executive Travel, 7A Heol y Mynydd, Bryn, Llanelli to be granted an exemption from conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Private Hire Vehicle PH517, a Ford Galaxy registration number HK67 FLX.

As Mr Thomas intended operating the vehicle for air and sea port travel and executive hire only, he had requested an exemption from conditions 5a and 5b of the Council's Licence Conditions, namely that he be not required to display door stickers and a licence plate on the rear bumper of her vehicle.

Should the Licensing Committee agree to grant Mr Thomas an exemption then the following conditions would be attached to the Licence:-

- That the licensed Ford Galaxy PH517 registration number HK67 FLX be exempt from licence conditions 5a and 5b whilst being used for air and sea port travel and executive hire purposes, as outlined in the application by Mr Thomas;
- That, should the vehicle be used for Private Hire other than air and sea port travel and executive hire, then the applicant shall immediately notify the Licensing Authority and the exemption shall cease in relation to such hiring;
- That the vehicle displays an identification disc on the front and rear windscreens, as specified by the Licensing Authority.

RESOLVED that the application submitted by Mr Hugh John Thomas of Huw's Executive Travel for an exemption from Conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Ford Galaxy PH517, registration number HK67 FLX be granted subject to the above mentioned conditions being applied to the licence.

5. MR IAN BARRIE VINSON - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was advised that an application had been received from Mr Ian Barrie Vinson of 16 Tan y Bryn, Burry Port to renew his hackney carriage/private hire dual drivers licence. It noted that whilst Mr Vinson was not in attendance at the meeting and had not contacted officers to offer an explanation for his non-attendance, he had in the letter inviting him to the meeting been advised that should he fail to attend his application may be considered in his absence

RESOLVED that Mr Vinson's application be considered in his absence

The Committee received a report from the Senior Licensing Officer providing details relevant to Mr Vinson's application. He recommended that Mr Vinson's licence application be granted, subject to it being suspended for a period of 7 days

The Committee thereupon

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Ian Barrie Vinson for the renewal of his Hackney Carriage/Private Hire Dual Driver's Licence be granted, but thereafter it be suspended for a period of 7 days.

Reasons

On the evidence presented, the Committee was satisfied the applicant was a fit and proper person to hold a licence if he was given an opportunity to reflect upon the matters drawn to the Committee's attention and that a short period of suspension would allow that to happen.

6. MR MARK EDWARD JOHN - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

(NOTE: Councillors W.T. Evans and E. Williams declared interests in this application left the Council Chamber during its consideration by the Committee)

The Committee was advised that an application had been received from Mr Mark Edward John of Cedars, Mount Pleasant, Llangunnor, Carmarthen for a hackney carriage/private hire dual drivers licence. It noted that Mr John had advised officers by e-mail that he would not be attending. The Committee, having regard to the above

UNANIMOUSLY RESOLVED that Mr John's application be determined in his absence

The Committee received a report from the Senior Licensing Officer providing details relevant to Mr John's application. He recommended that Mr John's licence application be refused.

The Committee thereupon:

RESOLVED that in line with the Council's guidelines, the application submitted by Mr Mark Edward John for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be refused.

Reason

On the evidence presented, the Committee was satisfied that the applicant was not a fit and proper person to hold a licence.

7. MR SIMON ALLEN BATTEN - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

(NOTE: Councillor W.T. Evans having declared an interest in this item left the meeting during its consideration by the Committee)

The Committee considered an application from Simon Allen Batten of 24 Brewery Road, Carmarthen for the grant of a hackney carriage/private hire dual drivers' licence.

The Committee interviewed Mr Batten with regard to his application. It also received a representation from the Dyfed Powys Police representative confirming details relevant to Mr Batten's DBS disclosures

The Senior Licensing Officer advised that he had received several items of correspondence providing character references for Mr Batten. He recommended that Mr Batten's application be granted with a warning as to his future conduct.

The Committee thereupon:

RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

Following the adjournment the Committee reconvened to advise of its decision.

RESOLVED that in line with the Council's guidelines, the application submitted by Mr Simon Allen Batten for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted with a warning as to his future conduct.

Reason

On the evidence presented the Committee was satisfied that the applicant was a fit and proper person to hold a licence.

8. APPOINTMENT OF MEMBERS TO SIT ON LICENSING SUB-COMMITTEES 2019-20

The Committee considered a report on the provisions of the Licensing Act 2003 detailing the proposed composition of Licensing Sub Committees "A" and "B" for 2019/20 Municipal Year.

UNANIMOUSLY RESOLVED that the composition of Licensing Sub Committees “A” and “B” for the 2019/20 Municipal Year be as follows:

Licensing Sub Committee “A”

Councillors Fozia Akhtar, Mansel Charles, Ann Davies, Amanda Fox, Ken Howell, Jim Jones and Elwyn Williams.

Licensing Sub Committee “B”

Councillors Penny Edwards, Tyssul Evans, Irfon Jones, Andre McPherson, Susan Phillips, Edward Thomas and Eirwyn Williams.

9. APPOINTMENT OF CHAIRS OF LICENSING SUB-COMMITTEES FOR THE 2019-20 MUNICIPAL YEAR

The Committee considered nominations for Chairs of the Licensing Sub Committees for the 2019/20 Municipal Year.

UNANIMOUSLY RESOLVED

9.1 That Councillor M. Charles be appointed Chair of the Licensing Sub Committee “A” for the 2019/20 Municipal Year.

9.2 That Councillor H.I. Jones be appointed Chair of the Licensing Sub Committee “B” for the 2019/20 Municipal Year.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE “B” HELD ON 26TH MARCH, 2019

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Sub Committee “B” held on the 26th March, 2019 be signed as a correct record.

11. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON 3RD APRIL, 2019

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 3rd April, 2019 be signed as a correct record.

CHAIR

DATE