

LICENSING COMMITTEE

Tuesday, 27 June 2017

PRESENT: Councillor E.G. Thomas (Chair)

Councillors:

F. Akhtar, J.M. Charles, A. Davies, C.A. Davies, P.M. Edwards, W.T. Evans, A.L. Fox, H.I. Jones, J.G. Prosser and D.E. Williams

The following Officers were in attendance:

S.E. Watts, Public Health Services Manager

R. Edgecombe, Legal Services Manager

M. Heath, Licensing Officer

J. Power, Senior Licensing Officer

J. Owen, Democratic Services Officer

Representing the Police Authority: Mr M. Price

Chamber, County Hall, Carmarthen - 10.00 am - 12.55 pm

1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor E. Williams.

2. DECLARATIONS OF PERSONAL INTERESTS.

Councillor	Minute No.	Nature of Interest
F. Akhtar	12 – Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence	Applicant known to her.

3. PRIVATE HIRE VEHICLE LICENCE

The Committee considered an application from Mr Meirion Williams of Dusk Till Dawn Limousine Hire, Caerodyn, Pantllyn, Llandybie, Carmarthenshire to be granted an exemption from Condition 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Chrysler 300C registration number L11 GAD.

The Public Health Services Manager recommended that Mr Williams' application be granted.

The Committee thereupon

UNANIMOUSLY RESOLVED that, the application submitted by Mr Meirion Williams for an exemption from Condition 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Chrysler 300C registration number L11 GAD be granted.

4. HACKNEY CARRIAGE VEHICLE LICENCE

The Committee considered an application from Mr Andrew Paul Morgans of AJ's Taxis, 38 Park View, Llanelli to be granted an exemption from Condition 15(e) of the Council's Conditions of Licence Hackney Carriage Vehicles. This condition states that the engine capacity of the vehicle shall not be less than 1200cc.

The Committee noted that Mr Morgans' application for a Nissan Leaf Electric Car Registration Number YC16 WGF featured an advanced 30kWh rechargeable lithium-ion battery pack designed to provide clean, reliable power and therefore did not meet the current Engine Capacity Licence Condition, however, the vehicle was fully compliant with all other Conditions of Licence for Hackney Carriage Vehicles.

The Committee further noted that Mr Morgans' was previously granted this exemption by Committee on the 1st December 2016 for another Nissan Leaf Electric Car, Hackney Carriage HC747.

The Public Health Services Manager recommended that Mr Morgans' application be granted.

UNANIMOUSLY RESOLVED that in line with the Council's guidelines, the application submitted by Mr Andrew Paul Morgans for an exemption from Condition 15(e) of the Council's Conditions of Licence for Hackney Carriage Vehicles be granted.

5. DELEGATING AUTHORITY TO OFFICERS

The Committee considered a report seeking delegating authority for officers to process applications for Exemption from Condition 13(e) of the Council's Licence Conditions for Private Hire Vehicles, and 15(e) of the Council's Licence Conditions for Hackney Carriage Vehicles.

Committee Members noted that the current process required all applications for Exemption from Condition 13(e) of the Council's Licence Conditions for Private Hire Vehicles, and 15(e) of the Council's Licence Conditions for Hackney Carriage Vehicles to appear before the Licensing Committee for decision.

UNANIMOUSLY RESOLVED that Delegated Authority be granted to Officers to process applications for Exemption from Condition 13(e) of the Council's Licence Conditions for Private Hire Vehicles, and 15(e) of the Council's Licence Conditions for Hackney Carriage Vehicles.

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

The Committee considered an application from Mr Ian Barrie Vinson of 38 Maesgwern, Tumble, Llanelli to renew his hackney carriage/private hire dual drivers licence. The Committee interviewed Mr Vinson with regard to his application.

The Public Health Services Manager advised that Mr Vinson'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 Vinson for the renewal of his Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

Reasons

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

7. MR IVOR JOHN DANIEL - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mr Ivor John Daniel of 35 New Road, Upper Brynamman, Ammanford to renew his hackney carriage/private hire dual drivers licence.

The Public Health Services Manager advised that Mr Daniel's application be granted with a warning as to his future conduct.

UNANIMOUSLY RESOLVED that in line with the Council's guidelines, the application submitted by Mr Vinson for the renewal of his Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

8. MR LEIGHTON NOEL ROBERTS - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr Leighton Noel Roberts of 56 Coedcae Road, Llanelli, was a licensed Hackney Carriage/Private Hire Dual Driver with the authority and that an issue had arisen with regard to his licence. The Committee interviewed Mr Roberts.

The Public Health Services Manager advised that Mr Roberts be issued with a final 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 Roberts for the renewal of his Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

Reasons

The Committee, having regard to the evidence presented, was satisfied that it was not necessary to grant a final warning to protect the public. However, the applicant would be reminded of the seriousness of his offence and that any further points on his licence could put both his DVLA and taxi licences in jeopardy.

9. MR ALTAB ALI - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mr Altab Ali of Flat 11, Glannant House, College Road, Carmarthen for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr Ali with regard to that issue and received observations from the police representative.

The Public Health Services Manager advised that Mr Ali's application be granted with a warning as to his future conduct.

RESOLVED that in line with the Council's guidelines, the application submitted by Mr Ali for the renewal of his Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

10. MR PAUL STUART GRIFFITHS WILLIAMS - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was reminded that consideration of this application was deferred at the meeting held on 5th April, 2017 (minute 7 refers) as the applicant failed to attend. The Committee noted that Mr Williams was not in attendance at today's meeting, he had not contacted officers to offer an explanation and he had been advised that, should he fail to attend today's meeting, his application may be considered in his absence. It was therefore

RESOLVED that the Committee consider the application in the applicant's absence.

The Committee was advised that Mr Paul Stuart Griffiths Williams of 1 Dan y Allt, Felinfoel, Llanelli was a licensed Hackney Carriage/Private Hire Dual Driver with the Authority and that an issue had arisen with his licence.

The Public Health Services Manager recommended that Mr Williams' Hackney Carriage/Private Hire Dual Drivers Licence be Revoked.

The Committee thereupon:

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, the Hackney Carriage/Private Hire Dual Driver's Licence held by Mr Paul Stuart Griffiths Williams be revoked.

11. MR DAVID WILLIAM SQUIRE - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr David William Squire of 12 Gwendraeth Town, Kidwelly was a licensed Hackney Carriage/Private Hire Dual Driver with the authority and that an issue had arisen with regard to his licence. The Committee noted that Mr Squire was not in attendance at today's meeting, he had not contacted officers to offer an explanation and he had been advised that, should he fail to attend today's meeting, his application may be considered in his absence. It was therefore:

RESOLVED that the Committee consider the application in the applicant's absence.

The Public Health Services Manager recommended that Mr Squire's application be Revoked.

The Committee thereupon:

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, the Hackney Carriage/Private Hire Dual Driver's Licence held by Mr David William Squire be revoked.

Reasons

The Committee, having regard to the evidence presented, believed that reasonable cause existed to revoke the licence.

12. MR STEPHEN CRAIG CARDEW-RICHARDSON - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

(Note: At this point, Councillor F. Akhtar declared an interest and left the Council Chamber during its determination by the Committee).

The Committee considered an application from Mr Stephen Craig Cardew-Richardson of 27 Brynseirfel, Llanelli for the grant of a hackney carriage/private hire dual drivers licence. The Committee interviewed Mr Cardew-Richardson with regard to the issue raised and received observations from the police representative. The Committee also considered character references from Mr Cardew-Richardson's previous employers.

The Public Health Services Manager advised that Mr Cardew-Richardson's application be refused.

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 Mr Stephen Craig Cardew-Richardson's application be refused.

Reasons

The Committee, having regard to the evidence presented, was not satisfied that Mr Cardew-Richardson was a fit and proper person to hold a licence.

13. LICENSING ACT 2003 APPOINTMENT OF LICENSING SUB-COMMITTEES

The Committee considered a report under the provisions of the Licensing Act 2003 which detailed proposed composition of the Licensing Sub-Committees for the 2017/18 municipal year.

In addition, the Committee noted that at the Council meeting held on 24th May, 2017 the composition of the Licensing Committee was reduced to 14 members and the Committee was asked to consider whether to establish two Sub-Committees comprising of 5 members and 1 Sub-Committee comprising 4 members or alternatively to establish 2 Sub-Committees comprising 7 members each, as politically balanced as possible.

Following consideration of both scenarios the Committee:

UNANIMOUSLY RESOLVED to establish two Sub-Committees comprising of 7 members each and that the composition of the Licensing Sub-Committees for the 2017/18 municipal year be as follows:-

Licensing Sub-Committee "A"

Councillors F. Akhtar, M. Charles, A. Davies, R. Evans, A. Fox, K. Howell, and E. Williams.

Licensing Sub-Committee "B"

Councillors A. Davies, T. Evans, P. Edwards, I. Jones, J. Prosser, E. Thomas and E Williams.

14. APPOINTMENT OF CHAIRS OF LICENSING SUB-COMMITTEES FOR THE 2017/18 MUNICIPAL YEAR

The Committee considered nominations received for the Chairs of the Licensing Sub-Committees for the 2017/18 municipal year and

RESOLVED that:

- **Councillor M. Charles be appointed Chair of Licensing Sub-Committee “A” for the 2017/18 municipal year;**
- **Councillor A. Davies be appointed Chair of Licensing Sub- Committee “B” for the 2017/18 municipal year**

15. MINUTES - LICENSING SUB-COMMITTEE 'A' 20TH APRIL, 2017.

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Sub Committee ‘A’ held on the 20th April, 2017 be signed as a correct record.

16. MINUTES - 5TH APRIL, 2017.

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 5th April, 2017 be signed as a correct record.

CHAIR

DATE