

Document Pack



Mark James LLM, DPA, DCA
Prif Weithredwr,
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County Hall, Carmarthen. SA31 1JP

TUESDAY, 13 OCTOBER, 2015

TO: ALL MEMBERS OF THE LICENSING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **LICENSING COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN AT 10.00 AM. ON WEDNESDAY, 21ST OCTOBER, 2015** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Michelle Evans Thomas
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Ref:	AD016-001

COMMITTEE MEMBERSHIP

15 MEMBERS

Plaid Cymru Group

Cllr. Mansel Charles
Cllr. Alun Davies
Cllr. Ken Howell
Cllr. Roy Llewellyn
Cllr. Jeff Thomas
Cllr. Elwyn Williams
Cllr. Joy Williams

Independent Group

Cllr. Theresa Bowen
Cllr. Ivor Jackson
Cllr. Irfon Jones
Cllr. Tom Theophilus

Labour Group

Cllr. Terry Davies
Cllr. Penny Edwards
Cllr. Pat Jones
Cllr. Kim Thomas

AGENDA

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTERESTS.
3. PRIVATE HIRE VEHICLE LICENCE. 5 - 8
4. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR LEONARD ERIC SUMMERS. 9 - 12
5. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MRS SARAH JENNA WYNNE. 13 - 16
6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR CHRISTOPHER WAYNE PRICE. 17 - 20
7. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR EMYR GLYN DAVIES. 21 - 24
8. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR ANTHONY JOHN WATHAN. 25 - 28
9. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR DANIEL SIMON LAWRENCE. 29 - 32
10. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR ANDREW STUART MARLING. 33 - 36
11. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MRS PATRICIA MARY BOTTOMLEY. 37 - 40
12. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR DAVID TIMOTHY JONES. 41 - 44
13. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "A" HELD ON 26TH AUGUST, 2015. 45 - 50
14. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 3RD SEPTEMBER, 2015. 51 - 54

LICENSING COMMITTEE 21/10/15

PRIVATE HIRE VEHICLE LICENCE

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the application be granted.

REASONS:

Council's Guidelines Relating to the application process.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
Name of Head of Service
Mr Robin Staines

Report Author
Mr Justin Power

Designation:

Head of Housing and Public
Protection

Senior Licensing Officer

Tel No.

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EXECUTIVE SUMMARY
Licensing Committee
21/10/15

SUBJECT
PRIVATE HIRE VEHICLE LICENCE

To consider an application from Mr Hywel Douglas Price Thomas of 2 Pryce Street, Llanelli to be granted an exemption from Condition 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Mercedes Vito registration number WV65 UTH.

Mr Thomas has requested that as he intends to operate this vehicle for Executive and Airport Hire only, that he be granted an exemption from Condition 5a and 5b of the Council's Licence Conditions, namely that they be not required to display door stickers and a licence plate on the rear bumper of his Vehicle.

Should the Licensing Committee agree to grant Mr Thomas an exemption from condition 5a and 5b of the Council's Licence Conditions for Private Hire vehicles, then the following Licence Conditions be attached to the Licence:-

That the licensed Mercedes Vito registration WV65 UTH be exempt from licence conditions 5a and 5b, whilst being used for Executive and Airport hire purposes as outlined in the application by Mr Thomas.

That should the vehicle be used for Private Hire other than 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.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	PH 537	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

21/10/15

Mr Leonard Eric Summers

Application to renew a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Summers' application be granted.

REASONS:

Council's Conditions of Licence for Hackney Carriage and Private Hire Dual Drivers.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities Name of Head of Service Mr Robin Staines	Designation: Head of Housing and Public Protection	Tel No. E Mail Address: 01267 228960 rstaines@carmarthenshire.gov.uk
Report Author Mr Justin Power	Senior Licensing Officer	01267 228932 JHPower@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mr Leonard Eric Summers

**Application to renew a Hackney Carriage/Private Hire Dual Drivers
Licence**

To consider an application from Mr Leonard Eric Summers of 20 Rhos Las, Tregunnor, Carmarthen to renew his hackney carriage/private hire dual drivers licence.

Mr Summers is 70 years of age.

Condition 25 of the Council's Conditions of Licence for Hackney Carriage and Private Hire Dual Drivers states that " The driver shall be at least twenty one years of age and must not be older than seventy years of age"

Mr Summers has produced a medical certificate confirming that he is Fit to drive a Hackney Carriage/Private Hire Vehicle.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10010	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

21/10/15

Mrs Sarah Jenna Wynne

Application to renew a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mrs Wynne's application be granted with a warning as to her future conduct.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
Name of Head of Service
Mr Robin Staines

Report Author
Mr Justin Power

Designation:

Head of Housing and Public Protection

Senior Licensing Officer

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EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mrs Sarah Jenna Wynne

**Application to renew a Hackney Carriage/Private Hire Dual Drivers
Licence**

To consider an application from Mrs Sarah Jenna Wynne of 30 St Nons Avenue, Carmarthen to renew her hackney carriage/private hire dual drivers licence.

This application was deferred by the Licensing Committee on the 3rd September 2015 as Mrs Wynne was unable to attend.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

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List of Background Papers used in the preparation of this report:**

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10645	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE 21/10/15

Mr Christopher Wayne Price
**Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers
 Licence**

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Price's application be granted with a warning as to his future conduct.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
 Name of Head of Service
 Mr Robin Staines

Report Author
 Mr Justin Power

Designation:

Head of Housing and Public
 Protection

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EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mr Christopher Wayne Price
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

To consider an application from Mr Christopher Wayne Price of 11 Carway Street, Burry Port, Llanelli for the grant of a hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD30885	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

21/10/15

SUBJECT AND PURPOSE

Mr Emyr Glyn Davies

Application to renew a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Davies' application be granted with a warning as to his future conduct.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
Name of Head of Service
Mr Robin Staines

Report Author
Mr Justin Power

Designation:

Head of Housing and Public Protection

Senior Licensing Officer

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EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mr Emyr Glyn Davies

**Application to renew a Hackney Carriage/Private Hire Dual Drivers
Licence**

To consider an application from Mr Emyr Glyn Davies of 13 Banc y Ddraenen, Capel Hendre, Ammanford to renew his hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD20247	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE 21/10/15

Mr Anthony John Wathan
Application to renew a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Wathan's application be granted with a warning as to his future conduct.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities Name of Head of Service Mr Robin Staines Report Author Mr Justin Power	Designation: Head of Housing and Public Protection Senior Licensing Officer	Tel No. E Mail Address: 01267 228960 rstaines@carmarthenshire.gov.uk 01267 228932 JHPower@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mr Anthony John Wathan

**Application to renew a Hackney Carriage/Private Hire Dual Drivers
Licence**

**To consider an application from Mr Anthony John Wathan of 22 Towy Avenue,
Llandovery to renew his hackney carriage/private hire dual drivers licence.**

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

**I confirm that other than those implications which have been agreed with the appropriate Directors /
Heads of Service and are referred to in detail below, there are no other implications associated with this
report :**

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD20320	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE 21/10/15

Mr Daniel Simon Lawrence
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Lawrence's application be granted with a warning as to his future conduct.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
Name of Head of Service
Mr Robin Staines

Report Author
Mr Justin Power

Designation:

Head of Housing and Public Protection

Senior Licensing Officer

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EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mr Daniel Simon Lawrence
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

To consider an application from Mr Daniel Simon Lawrence of Penwaun, Rhos, Llandysul for the grant of a hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10689	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

21/10/15

Mr Andrew Stuart Marling

Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Marling's application be granted with a warning as to his future conduct.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
Name of Head of Service
Mr Robin Staines

Report Author
Mr Justin Power

Designation:

Head of Housing and Public Protection

Senior Licensing Officer

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EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mr Andrew Stuart Marling
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

To consider an application from Mr Andrew Stuart Marling of 54 Park Hall, Carmarthen, for the grant of a hackney carriage/private hire dual drivers licence.

This application was deferred by the Licensing Committee on the 3rd September 2015 as Mr Marling failed to attend the meeting.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10684	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE 21/10/15

Mrs Patricia Mary Bottomley
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mrs Bottomley's application be refused.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
Name of Head of Service
Mr Robin Staines

Report Author
Mr Justin Power

Designation:

Head of Housing and Public Protection

Senior Licensing Officer

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JHPower@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mrs Patricia Mary Bottomley
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

To consider an application from Mrs Patricia Mary Bottomley of 11 Cambrian Court, Carmarthen for the grant of a hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	YES	NONE	NONE	NONE	NONE	NONE

LEGAL: The legal implication of refusal to grant a licence is that Mrs Bottomley may lodge an appeal.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10692	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE 21/10/15

Mr David Timothy Jones
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Jones' application be refused.

REASONS:

Council's Guidelines.

Relevant Scrutiny Committee Consulted	NA
Exec Board Decision Required	NA
Council Decision Required	NA

Executive Board Member Portfolio Holder: Councillor T.J. Jones

Directorate: Communities
Name of Head of Service
Mr Robin Staines

Designation:

Head of Housing and Public Protection

Tel No.

E Mail Address:

01267 228960

rstaines@carmarthenshire.gov.uk

Report Author

Mr Justin Power

Senior Licensing Officer

01267 228932

JHPower@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
Licensing Committee
21/10/15

Mr David Timothy Jones
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

To consider an application from Mr David Timothy Jones of Green Hill Cottage, Saron, Llandysul for the grant of a hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	YES	NONE	NONE	NONE	NONE	NONE

LEGAL: The legal implication of refusal to grant a licence is that Mr Jones may lodge an appeal.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

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List of Background Papers used in the preparation of this report:

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10694	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING SUB-COMMITTEE 'A'

26TH AUGUST 2015

PRESENT: Councillor H.I. Jones [Chair]

Councillors: P.M. Edwards and M.K. Thomas

Also present as observers:- Councillors J.M. Charles and D.E. Williams

The following officers were also in attendance:-

Mr R. Edgecombe – Legal Services Manager

Mr A. Rees – Licensing Officer

Mrs M. Evans Thomas – Democratic Services Officer

Present as a representative of a Responsible Authority:-

Mr E. Jones – Principal Licensing Officer, Carmarthenshire County Council

Chamber, County Hall, Carmarthen: 9.15 a.m. – 9.20 a.m.;

Site Inspection 9:20 a.m. – 11:35 a.m.;

Chamber, County Hall, Carmarthen – 11:45 a.m. – 1.40 p.m.

1. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE – GLANRANNELL PARK GROUNDS, CRUGYBAR, LLANWRDA, SA19 8SA

The Sub-Committee adjourned and reconvened on site at Glanrannell Park Grounds, Crugybar, Llanwrda at 10.05 a.m. in order to view the location of the premises in relation to objector's property. The Sub-Committee was afforded the opportunity of touring the grounds and viewing the proposed locations of various elements of the event. Following conclusion of the site visit the Sub-Committee reconvened in the Chamber, County Hall, Carmarthen at 11.45 a.m. in order to consider the application.

The Legal Services Manager briefed all present on the procedure for the meeting and advised the Sub-Committee that an application had been received from The Big Cwtch Ltd for the grant of a premises licence for an annual event at Glanrannell Park Grounds, Crugybar, Llanwrda as follows: -

To permit:-

Supply of Alcohol: Saturday 11:00-23:30

Regulated Entertainment: Saturday 11:00-23:59

Late Night Refreshment: Saturday 23:00-23:59

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Opening Hours: Saturday 10:00 to Sunday 14:00

The Sub-Committee noted that the following documentation was attached to the report:-

- Appendix A – copy of the original application submitted by the applicant;
- Appendix B – representations submitted by the Licensing Authority, which had been agreed by the applicant;
- Appendix C – representations submitted by Dyfed Powys Police, which had been amended and agreed with the applicant;
- Appendix D – representations submitted by Public Health Services, which had been agreed by the applicant.
- Appendix E – representations submitted by other persons.

The remaining Responsible Authorities had not made representations in respect of the application.

The Sub-Committee was circulated with copies of the following additional documentation, with the agreement of all parties:-

- e-mail from Mr David Drinkall dated 18th August, 2015 attaching 2 letters from neighbours and an e-mail detailing agreement between the applicant and Public Health Services to the proposed additional 6 licensing conditions attached to the e-mail at Annex 2;
- Event Management Plan;
- a list of observations made by the objector on the Event Management Plan.

The Licensing Authority representative referred to his representations as detailed within Appendix B to the report and stated that the wording set out in the operating schedule was not sufficiently precise to enable it to form clear enforceable licence conditions in accordance with section 18(2)(a) of the Licensing Act. He felt that, if the application was granted, it would be appropriate to replace the statements made in the operating schedule with conditions 1-8 as requested by the police. He informed the Sub-Committee that he had liaised with colleagues in Public Health Services to prepare one set of conditions which were detailed in Annex 2, circulated earlier.

All parties were afforded the opportunity of questioning the Licensing Authority representative on the representations made.

The Sub-Committee thereupon received a representation from an interested party objecting to the grant of a premises licence on the following grounds:-

- there was no consultation prior to last year's inaugural event;
- it is not a one day event as many days are required for preparation which cause disruption to his home and his holiday cottages;
- the event jeopardises the quiet enjoyment of his property;

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- during last year's event trespassers entered onto his land on two occasions.

All parties were afforded the opportunity of questioning the evidence submitted.

The applicants thereupon addressed the concerns and issues raised and advised that:-

- the purpose of the event was to raise money for and awareness of adaptive skiing to help people overcome neurological problems and the event relies heavily on local volunteers and businesses supporting it free of charge;
- they now have charitable status and have been asked to affiliate with Disability Sport Wales;
- Mr Drinkall is an ex-Army Officer with considerable management experience; he holds a personal licence and is the proposed DPS for the premises licence;
- the Event Management Plan sets out in detail how they propose to promote the licensing objectives;
- SIA security staff will be used in addition to volunteers;
- there were no crime and disorder issues at last year's event;
- a full risk assessment and fire risk assessment have been undertaken;
- traffic stewards will be used and vehicle movement in the licensed area will be kept to a minimum;
- all infrastructure will be erected, operated and removed by qualified contractors;
- a St. John's ambulance will be on site;
- the site layout and operating hours have been designed to minimise impact on other properties;
- signage will be erected to try and prevent any trespass;
- there will be a dedicated family area where alcohol and smoking will be prohibited;
- the issues raised by the objector have been taken into account in planning this year's event - there will be far more volunteers to help police the event, areas used last year near the objector's property will not be used this year so as to create a buffer zone, the music will be mainly acoustic with louder acts on the furthest stage, the car park has been moved to offer separate entrance and exit therefore the shared driveway will not be used for public access and the light tower and generator have been moved to the far side of the site;
- a landline telephone will be installed in the box office and the telephone number will be circulated to all neighbours so that they can contact the applicants in the event of any issues arising.

All parties were afforded the opportunity of questioning the evidence submitted.

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The Sub-Committee thereupon

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

Following the adjournment, the Sub-Committee reconvened to advise of its decision and, having had regard to relevant paragraphs of the Licensing Authority's Statement of Licensing Policy and the guidance issued by the DCMS and the Home Office, it was

RESOLVED that, having considered the evidence placed before the Sub-Committee, the application be granted, subject to the licence conditions agreed between the applicant and the Responsible Authorities.

REASONS:-

In coming to its decision, the Sub-Committee made the following findings of fact;

1. The event had previously taken place under Temporary Event Notices;
2. None of the Responsible Authorities objected in principle to the grant of a licence;
3. The Responsible Authorities were satisfied that the event could take place without undermining the licensing objectives if additional conditions were added to the licence;
4. The applicant had agreed to those conditions being added to the licence;
5. Mr Clifford had suffered disruption to his land and personal life when the event took place in 2014.

The Sub-Committee attached weight to the views of the police, Licensing Authority and Public Health Services.

The Sub-Committee recognised that its decision must be based upon real evidence and that concerns and fears about what might happen if a licence was granted, where unsupported by such evidence, were not matters which they could properly take into account.

The Sub-Committee considered the effect of the application on each of the licensing objectives in turn:-

Prevention of Crime and Disorder

On the evidence presented, the Sub-Committee was satisfied that the granting of a licence would not undermine this objective.

Prevention of Public Nuisance

The Sub-Committee acknowledged that two local residents complained of disturbance due to last year's event and that this caused those households a nuisance. However, on the evidence presented only two households were affected and the Sub-Committee was of the view that this was insufficient to amount to a public nuisance, although it may have amounted to a private nuisance.

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The Sub-Committee noted that the applicants had made changes to this year's event to alleviate the issues that occurred last year and the Public Health Services were happy with the arrangements that had been proposed.

The Sub-Committee was therefore satisfied on the balance of probabilities that the event was unlikely to cause a public nuisance (i.e. one which affects a class of Her Majesty's subjects) and would not therefore undermine this objective.

The Sub-Committee further noted that Public Health Services already had powers to deal with any statutory nuisance (including private nuisance) that may arise.

Protection of Public Safety

On the evidence presented the Sub-Committee was satisfied that the granting of a licence would not undermine this objective.

Protection of Children from Harm

On the evidence presented the Sub-Committee was satisfied that the granting of a licence would not undermine this objective.

Conclusion

Having regard to all the evidence submitted the Sub-Committee was therefore satisfied that on the balance of probabilities that to grant the licence, subject to the additional agreed conditions, would not undermine any of the licensing objectives. The Sub-Committee further considered that those additional conditions were appropriate for the promotion of those objectives and a proportional response to the issues that had been identified.

SIGNED:

DATE:

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THURSDAY, 3 September 2015

PRESENT: Councillor T Theophilus (Chair)

Councillors:

J.M. Charles, T. Davies, P.M. Edwards, H.I. Jones, P.E.M. Jones, J Thomas, D.E. Williams and J.S. Williams

The following Officers were in attendance:

P Booth, Licensing Officer
 R. Edgecombe, Legal Services Manager
 M Heath, Licensing Officer
 E. Jones, Principal Licensing Officer
 S.E. Watts, Public Health Services Manager

Chamber, County Hall, Carmarthen - **10.00** - 10.45 am

1. APOLOGIES AND OTHER MATTERS

Apologies for absence were received from Councillors T. Bowen, A. Davies, I.J. Jackson, D.J.R. Llewellyn and M.K. Thomas.

The Chair referred to the death of Councillor Keith Davies and extended his condolences to Councillor Davies's family.

The Chair extended his condolences to Mr. Justin Power, Senior Licensing Officer, on the death of his father.

2. DECLARATIONS OF PERSONAL INTERESTS.

<u>Councillor</u>	<u>Minute No.</u>	<u>Nature of Interest</u>
P.E.M. Jones	6 – Hackney Carriage / Private Hire Dual Drivers Licence	Applicant is known to her.

3. MRS LINDA VICTORIA MORGAN - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mrs. Morgan had contacted officers to advise that she was unable to attend today's meeting.

UNANIMOUSLY RESOLVED that consideration of the application from Mrs. Linda Victoria Morgan to renew her Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next meeting of the Committee.

4. PRIVATE HIRE VEHICLE LICENCE

The Committee considered an application from Mr David Mark Jones-Dunstall of

South Wales Travel, Bwythyn y Coed, 1 Dol y Dderwen, Bonllwyn, Ammanford, Carmarthenshire, to be granted an exemption from Conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Renault Grand Scenic registration number SP11 NJZ.

Mr Jones-Dunstall had requested that as he intended to operate the vehicle for Executive and Business hire only, he be granted 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 his vehicle.

The Public Health Services Manager advised that should the Licensing Committee agree to grant an exemption from conditions 5a and 5b of the Council's Licence Conditions for Private Hire vehicles, then the following licence conditions would be attached to the licence:-

[i] That the licensed Renault Grand Scenic registration SP11 NJZ be exempt from licence conditions 5a and 5b, whilst being used for executive and business hire purposes as outlined in the application by Mr Jones-Dunstall;

[ii] That should the vehicle be used for Private Hire other than executive and business hire, then the applicant shall immediately notify the Licensing Authority and the exemption shall cease in relation to such hiring;

[iii] That the vehicle displays an identification disc on the front and rear windscreens, as specified by the Licensing Authority.

UNANIMOUSLY RESOLVED that the application submitted by Mr David Mark Jones-Dunstall for an exemption for his Renault Grand Scenic registration number SP11 NJZ from Conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles be granted in accordance with the conditions detailed within the report.

5. MRS SARAH JENNA WYNNE - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mrs. Wynne had contacted officers to advise that she was unable to attend today's meeting but was happy for her application to be determined in her absence. The Public Health Services Manager advised that there was an issue concerning Mrs. Wynne's application.

UNANIMOUSLY RESOLVED that consideration of the application from Mrs. Sarah Jenna Wynne to renew her Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next meeting of the Committee.

6. MR CHRISTOPHER GRAHAM RICHARDS - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

(Note: Councillor P.E.M. Jones having earlier declared a personal interest in this item, left the meeting during consideration thereof).

The Committee was informed that Mr Christopher Graham Richards of 7 Dolau Fan Road, Burry Port, was a licensed hackney carriage/private hire dual driver with the authority and the Committee interviewed Mr Richards with regard to an issue which had arisen in relation to his licence.

The Public Health Services Manager recommended that Mr Richards be issued with a warning as to his future conduct.

The Committee thereupon,

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, Mr Christopher Graham Richards be issued with a warning as to his future conduct.

Reasons

The Committee, having regard to what was reported at the meeting, felt that this was a proportionate response.

7. MR PHILIP MARK JONES - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mr Philip Mark Jones of 23 Belvedere Avenue, Carmarthen, for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr Jones with regard to his application.

The Committee also received a statement in support of Mr. Jones' application from Mr. C. Williams of LRC Training.

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

The Committee thereupon,

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Philip Mark Jones 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. MR ANDREW STUART MARLING - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr. Marling was not present and had not contacted officers to advise them of his intentions.

UNANIMOUSLY RESOLVED that consideration of the application by Mr. Andrew Stuart Marling for a Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next meeting of the Committee and that he be advised that should he fail to attend then his application may be dealt with in his absence.

9. LICENSING ACT 2003 / GAMBLING ACT 2005 - REVIEW OF LICENSING POLICY / REVIEW OF GAMBLING POLICY

The Principal Licensing Officer advised that Carmarthenshire County Council was currently undertaking reviews of both its Licensing and Gambling Policies. The statutory policies had to be reviewed periodically to ensure that they were up to date and reflected feedback from the local community that the statutory objectives were being met. As part of the reviews the Council was required to undertake a consultation exercise and details of the consultations had been sent to a number of interested parties, including licence holders, businesses, local residents and their representatives. Both consultations concluded on the 13th of September 2015. Members of the Licensing Committee who had not already submitted a response to the consultations were encouraged to complete the consultation documents in order that they could be submitted and form part of the policy reviews.

NOTED.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "C" HELD ON THE 21ST JULY 2015

UNANIMOUSLY RESOLVED that the minutes of the meeting of Licensing Sub-Committee 'C' held on the 21ST July 2015 be signed as a correct record.

11. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 25TH JUNE 2015

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 25th June 2015 be signed as a correct record.

CHAIR

DATE