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Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

WEDNESDAY, 27 MARCH 2019

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. SA31 1JP. AT 10.00 AM ON WEDNESDAY, 3RD APRIL, 2019 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Llinos Jenkins
Telephone (Direct Line):	01267 224088
E-Mail:	llsjenkins@carmarthenshire.gov.uk
Ref:	AD016-001

LICENSING COMMITTEE

14 MEMBERS

PLAID CYMRU GROUP – 7 MEMBERS

- | | | |
|----|------------|-----------------------------|
| 1. | Councillor | Mansel Charles |
| 2. | Councillor | Ann Davies |
| 3. | Councillor | Tyssul Evans |
| 4. | Councillor | Ken Howell |
| 5. | Councillor | Susan Phillips |
| 6. | Councillor | Eirwyn Williams |
| 7. | Councillor | Elwyn Williams [Vice-Chair] |

LABOUR GROUP – 4 MEMBERS

- | | | |
|----|------------|-----------------|
| 1. | Councillor | Fozia Akhtar |
| 2. | Councillor | Penny Edwards |
| 3. | Councillor | Amanda Fox |
| 4. | Councillor | Andre McPherson |

INDEPENDENT GROUP – 3 MEMBERS

- | | | |
|----|------------|-----------------------|
| 1. | Councillor | Irfon Jones |
| 2. | Councillor | Edward Thomas [Chair] |
| 3. | Councillor | Jim Jones |

***MEMBERS SHOULD BE AWARE THAT THEY ARE NOT ABLE TO ASK MEMBERS FROM
WITHIN THEIR OWN GROUPS TO SUBSTITUTE FOR THEM AT MEETINGS OF THIS
COMMITTEE***

AGENDA

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTERESTS.
3. APPLICATION TO RENEW A HACKNEY CARRIAGE / PRIVATE HIRE DUAL DRIVERS LICENCE - MR ALAN LEE RAVENHILL-PATTERSON 5 - 8
4. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MRS ERIKA PROBERT-GARTHWAITE 9 - 12
5. PRIVATE HIRE VEHICLE LICENCE 13 - 16
6. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "A" HELD ON 26TH FEBRUARY 2019 17 - 18
7. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 18TH FEBRUARY 2019 19 - 24

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LICENSING COMMITTEE

03/04/19

SUBJECT AND PURPOSE

Mr Alan Lee Ravenhill-Patterson

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Ravenhill-Patterson'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 P.M. Hughes

Directorate: Communities

Name of Head of Service

Mr Jonathan Morgan

Report Author

Mr Justin Power

Designation:

Head of Homes and Safer Communities

Senior Licensing Officer

Tel No.

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EXECUTIVE SUMMARY
Licensing Committee
03/04/19

SUBJECT

Mr Alan Lee Ravenhill-Patterson

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

To consider an application from Mr Alan Lee Ravenhill-Patterson of 30b Llandeilo Road, Cross Hands, Llanelli to renew his hackney carriage/private hire dual drivers licence.

This item was deferred by the Licensing Committee on the 18th February 2019 as Mr Ravenhill-Patterson failed 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 Jonathan Morgan

Head of Homes and Safer Communities

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 Jonathan Morgan Head of Homes and Safer Communities

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.	DD30902	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

03/04/19

SUBJECT AND PURPOSE

Mrs Erika Probert-Garthwaite

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mrs Probert-Garthwaite'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 P.M. Hughes

Directorate: Communities
Name of Head of Service
 Mr Jonathan Morgan

Report Author
 Mr Justin Power

Designation:

Head of Homes and Safer
 Communities

Senior Licensing Officer

Tel No.

E Mail Address:

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EXECUTIVE SUMMARY
Licensing Committee
03/04/19

SUBJECT

Mrs Erika Probert-Garthwaite

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

To consider an application from Mrs Erika Probert-Garthwaite of 13 Maengwynne, 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 Jonathan Morgan

Head of Homes and Safer Communities

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 Probert-Garthwaite may lodge an appeal.

CONSULTATIONS

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

Signed: Mr Jonathan Morgan

Head of Homes and Safer Communities

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.	DD30991	Licensing Section, 3 Spilman Street, Carmarthen

LICENSING COMMITTEE

03/04/19

SUBJECT AND PURPOSE 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 P.M. Hughes

Directorate: Communities Name of Head of Service Mr Jonathan Morgan Report Author Mr Justin Power	Designation: Head of Homes and Safer Communities Senior Licensing Officer	Tel No. E Mail Address: 01554 899285 jmorgan@carmarthenshire.gov.uk 01267 228932 JHPower@carmarthenshire.gov.uk
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EXECUTIVE SUMMARY
Licensing Committee
03/04/19

SUBJECT
PRIVATE HIRE VEHICLE LICENCE

To consider an application from Mr Michael John Wilkinson of Llandeilo Taxi Service, Kings Lodge, Llandeilo to be granted an exemption from Condition 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Private Hire Vehicle PH 399 a Ford Mondeo Vignale registration number MX19 VBE.

Mr Wilkinson has requested that as he intends to operate this vehicle for Air & Sea Port travel and Executive Hire only, that he be granted an exemption from Condition 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.

Should the Licensing Committee agree to grant Mr Wilkinson 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 Ford Mondeo Vignale PH 399 registration number MX19 VBE be exempt from licence conditions 5a and 5b, whilst being used for Air & Sea Port travel and Executive Hire purposes as outlined in the application by Mr Wilkinson.

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

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 Jonathan Morgan

Head of Homes and Safer Communities

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 Jonathan Morgan

Head of Homes and Safer Communities

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 399	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING SUB COMMITTEE A

Tuesday, 26 February 2019

PRESENT: Councillor J.M. Charles (Chair)

Councillors:

A.L. Fox, J.K. Howell and D.E. Williams

Present as representatives of a Responsible Authority:-

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

Mr M. Price – Dyfed Powys Police Force

The following Officers were in attendance:

A. Evans, Assistant Solicitor

A. Rees, Licensing Officer

L. Jenkins, Democratic Services Officer

Chamber, County Hall, Carmarthen. SA31 1JP. 10.30 - 10.45 am

1. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

2. APPLICATION FOR A PERSONAL LICENCE - SARAH PEARCE, FLAT 2, 2-4 NORTON ROAD, PENYGROES, LLANELLI. SA14 7RS

The Committee were asked to consider an application from Ms Sarah Pearce for a personal license, under Section 117 of the Licensing Act 2003.

The police have objected to the Application under section 120(5) of the Licensing Act 2003, as the applicant has been convicted of a “relevant offence” listed in Schedule 4 of the Act, as they are of the view that that granting the license would undermine the Crime Prevention Objective in the 2003 Act.

The applicant failed to attend, or to provide any explanation for her absence.

After a discussion, the sub-committee :

RESOLVED to exercise its power under section 11 of The Licensing Act 2003 (Hearings) Regulations 2005 to extend the time limit for hearing this application by 6 weeks, to enable the application to be deferred to another meeting of the sub-committee.

REASONS

Members felt that it was in the public interest to extend time and to defer the matter, to give the Applicant a further opportunity to attend and to make representations in support of her application.

CHAIR

DATE

LICENSING COMMITTEE

Monday, 18 February 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, H.I. Jones, J.E. Williams and D.E. Williams

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager
R. Edmunds, Consumer and Business Affairs Manager
E. Jones, Principal Licensing Officer
J. Power, Senior Licensing Officer
M. Heath, Licensing Officer
E. Bryer, Democratic Services Officer

Representing the Police Authority – Mr. M. Price

Chamber, - County Hall, Carmarthen. SA31 1JP. - 10.00 am - 1.20 pm

1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors A. McPherson and S. Phillips.

2. DECLARATIONS OF PERSONAL INTERESTS.

There were no declarations of personal interest.

3. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MISS JADE MARIE JONES

The Committee considered an application from Miss Jade Marie Jones of 50 Caergar, Llanelli for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Miss Jones with regards to her application and issues raised by the Senior Licensing Officer.

The Senior Licensing Officer recommended that Miss Jones' application be granted with a warning as to her future conduct.

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, the application submitted by Miss Jade Marie Jones for the grant of a Hackney Carriage/Private Hire Dual Drivers licence be granted with a warning as to her 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. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR ALAN LEE RAVENHILL-PATTERSON

As Mr Ravenhill-Patterson was not in attendance, the Senior Licensing Officer asked that consideration of the application be deferred.

RESOLVED that consideration of the application submitted by Mr Alan Lee Ravenhill-Patterson to renew his hackney Carriage/Private Hire Dual Drivers Licence be deferred to the next meeting.

5. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR MARK ANTHONY LLOYD

The Committee considered an application from Mr Mark Anthony Lloyd of 13 Maes y Deri, Pontyberem, Llanelli for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr Lloyd with regard to his application.

The Senior Licensing Officer recommended that Mr Lloyd's application be granted with a warning to his future conduct.

UNANIMOUSLY RESOLVED that the application submitted by Mr Mark Anthony Lloyd 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.

6. HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR REGINALD JOHN PROTHEROE

The Committee was informed that Mr Reginald John Protheroe of 14 Maes Penrhyn, Llanelli was a licensed hackney carriage/private hire dual driver with the Authority and that an issue had arisen with his licence.

The Committee interviewed Mr Protheroe with regard to that issue.

The Senior Licencing Officer recommended that Mr Protheroe be issued with a warning as to his future conduct.

UNANIMOUSLY RESOLVED that in line with the Council's guidelines, Mr Reginald John Protheroe be issued 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.

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

The Committee considered an application from Mr Richard Gordon Jones of 89 Burgess Meadows, Carmarthen for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr Jones with regard to his application and issues raised by the Senior Licencing Officer.

The Senior Licensing Officer recommended that Mr Jones' application be refused.

The 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 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 Richard Gordon Jones for the grant of a Hackney Carriage/Private Hire Dual Drivers Licence be refused.

Reasons

Having considered all the evidence presented, the applicant's answers to the Committee and the facts admitted by him, the Committee found that the applicant was not a fit and proper person to hold a licence.

8. WELSH GOVERNMENT CONSULTATION ON REFORMING THE LICENSING OF TAXI'S AND PRIVATE HIRE VEHICLES IN WALES

At the Licensing Committee Meeting on the 8th January 2019, members were informed of a recent Welsh Government Consultation paper titled "Improving Public Transport".

This is a Welsh Government White paper on proposals to legislate for reforming the planning and delivery of local bus services and licensing of taxis and private hire vehicles.

Part of this consultation sought views on proposals in relation to reforming the Licensing of Taxis and Private Hire vehicles. This included the proposal to redirect all of the existing taxi and PHV licensing functions away from the local authorities and into a national licensing authority, a JTA. (Joint Transport Authority).

Members were required to provide their responses to Questions 22 to Questions 38.

During the meeting Members were provided with the Authority's draft responses to the questions. The Committee considered the responses provided by the Senior Licencing Officer.

The Committee thanked the Officers for preparing the report.

UNANIMOUSLY RESOLVED to approve the responses to Questions 22 to Question 38 subject to the following:

8.1 Question 33 – to add that Parochialism would be lost if JTA created.

8.2 Question 37 –to add it is also felt that should a JTA be formed, then it must be located in a Welsh speaking area.

8.3 Question 38 – to add no detail of where JTA would be based.

9. LICENSING ACT 2003 FILM CLASSIFICATION REQUEST

[**Note:** At 12:15 pm the Committee adjourned for 15 minute comfort break and reconvened at 12:30pm]

The Committee considered a request received from Mrs Mair Craig, on behalf of Llansadwrn Reading Rooms, seeking a recommendation regarding the admission of children to view four previously unclassified short films.

The applicant intended to screen the four films, “Swci Delic – The Accidental Artist”, “Bright Lights”, “Deffro” and “A Thousand Ukuleles” prior to the screening of a certificated feature film at the community cinema. Furthermore, the premises intended operating the community cinema under the community premises exemptions set out in paragraph 6A of Schedule 1 of the Licensing Act 2003.

The Committee noted that in order to satisfy the requirements of the Licensing Act 2003, the films shown must have a recommendation concerning the admission of children issued by either the British Board of Film Classification Body (BBFC) or relevant Licensing Authority.

To enable the Committee to make the required recommendations regarding the admission of children to view the films, it was afforded the opportunity of viewing the four short films and took into consideration the guidelines in relation to age ratings produced by the BBFC.

Having considered all the evidence before it, the Committee

RESOLVED that

9.1 the film entitled “Swci Delic – The Accidental Artist” be classified with a PG rating;

9.2 the film entitled “Bright Lights” be classified with a 12A rating;

9.3 the film entitled “Deffro” be classified with a 12 rating;

9.4 the film entitled “A Thousand Ukuleles” be classified with a U rating.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "A" HELD ON 17TH JANUARY, 2019.

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Sub Committee “A” held on the 17th January 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 THE 8TH JANUARY, 2019.

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 8th January 2019 be signed as a correct record.

CHAIR

DATE

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