

Document Pack



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

MONDAY, 21 DECEMBER 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 AT 10.00 AM ON TUESDAY, 5TH JANUARY, 2016** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Mr Kevin Thomas
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Ref:	AD016-001

<p style="text-align: center;">LICENSING COMMITTEE 15 MEMBERS</p>

PLAID CYMRU GROUP 7 MEMBERS

1. Councillor A. Davies
2. Councillor J.M. Charles
3. Councillor J.K. Howell
4. Councillor D.J.R. Llewellyn
5. Councillor J. Thomas
6. Councillor D.E. Williams [Vice-Chair]
7. Councillor J.S. Williams

INDEPENDENT GROUP 4 MEMBERS

1. Councillor T. Bowen
2. Councillor I.J. Jackson
3. Councillor H.I. Jones
4. Councillor T. Theophilus [Chair]

LABOUR GROUP 4 MEMBERS

1. Councillor T. Davies
2. Councillor P.M. Edwards
3. Councillor P.E.M. Jones
4. Councillor M.K. Thomas

***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 DRIVER'S LICENCE - MR DAVID AUSTIN NORMAN DAVIES 5 - 8
4. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR ANDREW STUART MARLING 9 - 12
5. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE / PRIVATE HIRE DUAL DRIVERS LICENCE - MR ALAN LEE PATTERSON 13 - 16
6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE / PRIVATE HIRE DUAL DRIVERS LICENCE - MR ANDREW PAUL JONES 17 - 20
7. HACKNEY CARRIAGE / PRIVATE HIRE DUAL DRIVERS LICENCE - MR ALED STEPHEN WILLIAMS 21 - 24
8. HACKNEY CARRIAGE / PRIVATE HIRE DUAL DRIVERS LICENCE - MR DAVID WILLIAM SQUIRE 25 - 28
9. D.M. CABS, LLANELLI 29 - 32
10. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE / PRIVATE HIRE DUAL DRIVERS LICENCE - MR NICHOLAS MARC JONES 33 - 36
11. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE / PRIVATE HIRE DUAL DRIVERS LICENCE - MR JAMIE LEE GOODIER 37 - 40
12. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 16TH DECEMBER 2015 41 - 44

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LICENSING COMMITTEE

05/01/16

SUBJECT AND PURPOSE

Mr David Austin Norman Davies

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Davies' 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

Report Author
Mr Justin Power

Designation:

Head of Housing and Public Protection

Senior Licensing Officer

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EXECUTIVE SUMMARY
Licensing Committee
05/01/16

SUBJECT

Mr David Austin Norman Davies
Application to renew a Hackney Carriage/Private Hire Dual Drivers
Licence

To consider an application from Mr David Austin Norman Davies of Penycoed, Dryslwyn, Carmarthen to renew his hackney carriage/private hire dual drivers licence.

Mr Davies is 71 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 Davies 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.	DD10580	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

05/01/16

SUBJECT AND PURPOSE

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
05/01/16

SUBJECT

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 26th November 2015 as Mr Marling was unable 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:**

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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

05/01/16

SUBJECT AND PURPOSE

Mr Alan Lee Patterson

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr 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 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
05/01/16

SUBJECT

Mr Alan Lee Patterson

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

**To consider an application from Mr Alan Lee Patterson of 30B Llandeilo Road, Cross
Hands, 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:**

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

05/01/16

SUBJECT AND PURPOSE

Mr Andrew Paul Jones

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Jones' 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
05/01/16

SUBJECT

Mr Andrew Paul Jones

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

**To consider an application from Mr Andrew Paul Jones of 48 Squirrel Walk, Fforest,
Pontarddulais 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:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD30904	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

05/01/16

SUBJECT AND PURPOSE

Mr Aled Stephen Williams
Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Williams be issued with a final 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
05/01/16

SUBJECT

Mr Aled Stephen Williams
Hackney Carriage/Private Hire Dual Drivers Licence

Mr Aled Stephen Williams of 11 Bryn Seilo, Carway, Kidwelly is a licensed hackney carriage/private hire dual driver with this 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:

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Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10014	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

05/01/16

SUBJECT AND PURPOSE

**Mr David William Squire
Hackney Carriage/Private Hire Dual Drivers Licence**

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Squire be issued with a final 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
05/01/16

SUBJECT

Mr David William Squire
Hackney Carriage/Private Hire Dual Drivers Licence

Mr David William Squire of 12 Gwendraeth Town, Kidwelly is a licensed hackney carriage/private hire dual driver with this authority.

This item was deferred by the Licensing Committee on the 26th November 2015 as Mr Squire 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 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.	DD30714	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

05/01/16

SUBJECT AND PURPOSE D.M Cabs, Llanelli

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

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

EXECUTIVE SUMMARY
Licensing Committee
05/01/16

SUBJECT
D.M Cabs, Llanelli

Mr David Harold Mathias is the Proprietor of D.M Cabs, Llanelli. On the 30th October 2015 Carmarthenshire County Council prosecuted a Mr Adrian Ricky Parry for driving a Licensed Hackney Carriage owned by Mr Mathias without the required Hackney Carriage/Private Hire Dual Drivers Licence.

Mr Parry was fined £350.00 and ordered to pay prosecution costs of £500.00 and a victim surcharge of £25.00.

Mr Parry is Employed by Mr Mathias as a Radio Controller.

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.	DD30255	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE 05/01/16

SUBJECT AND PURPOSE

Mr Nicholas Marc 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 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
05/01/16

SUBJECT

Mr Nicholas Marc Jones

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

**To consider an application from Mr Nicholas Marc Jones of 2 Glan yr Afon, Ostrey Hill,
St Clears 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.

**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.	DD10697	Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

05/01/16

SUBJECT AND PURPOSE

Mr Jamie Lee Goodier

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Goodier'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	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
05/01/16

SUBJECT

Mr Jamie Lee Goodier

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

To consider an application from Mr Jamie Lee Goodier of Asheldon, Station Road, St Clears 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 Goodier 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.	DD10699	Licensing Section, 3 Spilman Street, Carmarthen

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WEDNESDAY, 16TH DECEMBER, 2015

PRESENT: Councillor T. Theophilus [Chair]

Councillors:

J.M. Charles, A. Davies, T. Davies, P.M. Edwards, J.K. Howell, I.J. Jackson, H.I. Jones, D.J.R. Llewellyn, J. Thomas, M.K. Thomas, D.E. Williams and J.S. Williams.

The following Officers were in attendance:

Ms S. Watts	-	Environmental Health & Licensing Manager
Mr R. Edgecombe	-	Legal Services Manager
Mr E. Jones	-	Principal Licensing Officer
Mrs M. Evans Thomas	-	Democratic Services Officer

Chamber, County Hall, Carmarthen - 10.00 a.m. - 12.00 p.m.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T. Bowen and P.E.M. Jones.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

3. GAMBLING ACT 2005 - GAMBLING COMMISSION TRAINING SESSION

The Chair welcomed to the meeting Mr Paul Edmunds, Senior Compliance Manager with the Gambling Commission, who had been invited to the meeting to provide the Committee with a training session on the Gambling Act 2005 and recent changes to the Gambling Commission's codes of practice and guidance to Licensing Authorities.

The Gambling Act 2005 came into force in 2007 and brought in a new comprehensive system for gambling regulation in Great Britain. The Act established a dedicated regulator at national level, in the form of the Gambling Commission. It also gave responsibility to Local Authorities for regulating gambling at a local level.

Licensing Authorities have responsibility for licensing gambling premises within their area, as well as undertaking functions in relation to lower stake gaming machines and processing temporary and occasional use notices.

The Gambling Commission has responsibility for granting operating and personal licences for commercial gambling operators. The legislation also provides scope for the Commission to set an overall direction at national level, which includes producing The Guidance to Licensing Authorities, to which Licensing Authorities must have regard.

This guidance document, as well as the Licence Conditions and Codes of Practice, had both recently been updated by the Commission and the Committee

was provided with an update on the Gambling Act and the recent changes to the guidance documents.

The presentation was followed by a question and answer session, following which the Chair thanked Mr Edmunds for a most informative presentation.

RESOLVED that the information be noted.

4. REVIEW OF GAMBLING POLICY

The Committee was reminded that the current Gambling Policy was adopted by the Authority in December 2012 and came into effect on the 31st January, 2013. Legislation required the policy to be reviewed at least every three years to ensure that it reflected feedback from the local community that the statutory objectives were being met.

The Authority's licensing section, in conjunction with the legal department, had reviewed the policy document in light of revisions to Gambling Commission guidance. Officers had liaised closely with the Gambling Commission to ensure that the revised document embraced the changes being introduced by the Commission, which included hosting a collaboration meeting with representatives of the Gambling Commission, Pembrokeshire and Ceredigion Licensing Authorities.

As part of the review the Authority was required to undertake a consultation exercise aimed at the Chief Officer of the Police, representatives of gambling businesses and persons representing the interests of residents and businesses in the area, in order for their views to be formally considered by the Authority. The consultation began on the 7th July and ended on the 13th September, 2015.

Approximately 2000 individuals and organisations, including licence holders and their representatives, Town and Community Councils, Members of Parliament, Assembly Members, County Councillors, Council departments and Responsible Authorities were consulted. The Responsible Authorities included the Licensing Authority, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Gambling Commission, Environmental Health (Pollution Section), Planning Authority, HMRC and Children's Services.

On this occasion the survey was undertaken using the iLocal consultation facility on the Council's website. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation. A total of 44 responses were received and a revised gambling policy document incorporating amendments to reflect the relevant consultation responses was considered by the Committee.

The Principal Licensing Officer advised the Committee that since the preparation of his report, the Gambling Commission had published a more recent version of their guidance and he sought approval for the Gambling Policy to incorporate and cross-reference with the Gambling Commission's updated guidance.

RESOLVED TO RECOMMEND TO THE EXECUTIVE BOARD that the amended Gambling Policy, taking into account the Gambling Commission's updated guidance, be approved.

5. REVIEW OF STATEMENT OF LICENSING POLICY (LICENSING ACT 2003)

The current Licensing Policy was adopted by the Authority in January 2011 and the Cumulative Impact Policy (CIP) in respect of Station Road, Llanelli in 2012. Legislation required the Licensing Policy to be reviewed at least every five years to ensure that it reflected feedback from the local community that the statutory objectives were being met.

Since the current Licensing Policy was last reviewed there had been a large number of amendments to the Licensing Act 2003. The Authority's Licensing Section, in conjunction with the legal department, had reviewed the policy document in light of these amendments, revised government guidance and recent case law. These statutory changes had been incorporated into the policy document. The Authority also hosted a collaboration meeting to discuss the review to local licensing policies with representatives from the Local Health Board, Pembrokeshire and Ceredigion Licensing Authorities.

The key changes to the legislation included:-

- making the Local Health Board and the Licensing Section Responsible Authorities;
- removing the test of vicinity for persons wishing to make representations;
- deregulation of some types of entertainment under certain circumstances;
- revisions to mandatory licence conditions.

As part of the review the Authority was required to undertake a consultation exercise aimed at Responsible Authorities, local residents, businesses, existing licence holders and their representatives, to ensure that their views could be formally considered by the Authority. The consultation began on the 7th July and ended on the 13th September, 2015.

Approximately 2000 individuals and organisations including licence holders and their representatives, Town and Community Councils, Members of Parliament, Assembly Members, County Councillors, Council departments and Responsible Authorities were consulted.

The survey was undertaken using the iLocal consultation facility on the Council's website. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation. A total of 89 responses were received and a revised licensing policy document incorporating amendments to reflect the relevant consultation responses was considered by the Committee.

The Committee noted that the policy, if approved, would be effective from 10th February, 2016.

RESOLVED TO RECOMMEND TO THE EXECUTIVE BOARD

- 5.1 that the amended Statement of Licensing Policy be approved;
- 5.2 that the existing Cumulative Impact Policy be retained for Station

- 5.3** Road, Llanelli, as detailed in Section 10 of the policy;
that further evidence be gathered in relation to the possible adoption of a Cumulative Impact Policy for Lammas Street, Carmarthen, as a result of responses to the consultation exercise.

6. REVIEW OF LOCALLY SET FEES IN ENVIRONMENTAL HEALTH AND LICENSING SECTION

The Committee was advised that the principles of setting locally set fees had been scrutinised recently in a High Court case, the outcome of which had clarified the type of costs that Council can recover through locally set licence fees. This included the administration, issuing and, where applicable, enforcement of licences. Fee setting must be transparent, must not exceed the cost of the procedure and be open to scrutiny.

As a result of this clarify over costs that may be included in fee setting, “tool kits” had been designed by the Welsh Licensing Expert Panel which allowed for a consistency of approach for Local Authorities when deciding their charges. They also allowed Local Authorities to ensure that all relevant costs are considered during the calculation.

The Committee considered a proposed fee structure for the Environmental Health and Licensing section, details of which were appended to the report at Appendix 1.

RESOLVED TO RECOMMEND TO THE EXECUTIVE BOARD

- 6.1** to advertise the proposed Hackney Carriage and Private Hire fees, as detailed in Appendix 1 to the report, for a period of 28 days as required by the Local Government (Miscellaneous Provisions) Act 1976 for persons to submit objections. Where there are no objections, the fees shall be implemented immediately following the period of advertisement. Where objections are received, the fees concerned and objections shall be brought back to Council for further consideration and determination;
- 6.2** to advertise the remainder of the fees, as detailed in Appendix 1 to the report, for a period of 28 days. The reviewed fees to be implemented immediately following this period of advertisement.

7. MINUTES - 26TH NOVEMBER, 2015

RESOLVED that the minutes of the meeting of the Licensing Committee held on the 26th November, 2015 be signed as a correct record.

CHAIR

DATE