

LICENSING COMMITTEE

Wednesday, 17 February 2016

PRESENT: Councillor T. Theophilus (Chair);

Councillors:

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

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager;
S.E. Watts, Public Health Services Manager;
J. Power, Senior Licensing Officer;
P. Booth, Licensing Officer;
M.S. Davies, Democratic Services Officer.
Representing the Police Authority: Mr. M. Price

Chamber, County Hall, Carmarthen - 10.00 am - 12.00 pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P. Edwards, M.K. Thomas and J. Thomas

2. DECLARATIONS OF PERSONAL INTERESTS

Councillor	Minute No.	Nature of Interest
T. Bowen	6 - Application for the Grant of a Hackney Carriage/Private Hire Dual Driver's Licence – Mr. Damian Hugh McCauley;	Applicant known to her.

3. 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 Condition 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Renault Grand Scenic registration number YT62 SYV.

Mr Jones-Dunstall had requested that, as he intended to operate this vehicle for Executive and Business Hire only, 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. Mr Jones-Dunstall had been previously granted this exemption for a vehicle operated by him.

The Public Health Services Manager advised that should the Licensing Committee agree to grant Mr Jones-Dunstall an exemption from condition 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 YT62 SYV 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 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 YT62 SYV 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.

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

The Committee considered an application from Mrs. Linda Victoria Morgan of 72 Cwmfelin Road, Bynea, Llanelli to renew her Hackney Carriage/Private Hire Dual Driver's Licence.

Mrs. Morgan was 70 years of age and Condition 25 of the Council's Conditions of Licensing 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".

Mrs. Morgan had produced a medical certificate confirming that she was fit to drive a Hackney Carriage/Private Hire Vehicle.

The Committee thereupon

UNANIMOUSLY RESOLVED that the application by Mrs. Linda Victoria Morgan to renew her Hackney Carriage/Private Hire Dual Driver's Licence be granted.

5. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR ANDREW STUART MARLING

The Committee was reminded that consideration of this application had been deferred for the second time at the meeting held on 5th January, 2016 (minute 4 refers) as Mr. Marling had failed to attend. The Public Health Services Manager advised that although Mr. Marling was again not in attendance he had been advised that should he fail to attend then his application would be dealt with in his absence.

The Committee duly considered an application from Mr Andrew Stuart Marling of 54 Park Hall, Carmarthen for the grant of a Hackney Carriage/Private Hire Dual Driver's licence.

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

The Committee, mindful of the Public Health Service Manager's recommendation

and the issues she had raised regarding Mr. Marling's application, expressed concern that the applicant had again failed to attend to provide clarification and had not had the courtesy to contact officers as to his circumstances. It was therefore

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

Reasons

The Committee, having regard to the evidence presented and due to the repeated non attendance of the applicant, was unable to satisfy itself in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 that the applicant was a fit and proper person to hold a licence.

6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR DAMIAN HUGH MCCAULEY

(NOTE: Councillor T. Bowen, having earlier declared an interest in this item, left the meeting during its consideration).

The Committee considered an application from Mr. Damian Hugh McCauley of 6 Heol Tregoning, Morfa, Llanelli for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

Mr. McCauley was accompanied by a potential employer, Mrs. Rees. The Committee interviewed Mr. McCauley with regard to his application, received a character reference from Mrs. Rees, and observations from the police representative.

The Public Health Services Manager recommended that Mr. McCauley's application be refused.

The Committee thereupon

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

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

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr. Damian Hugh McCauley for the grant of a Hackney Carriage/Private Hire Dual Drivers Licence be granted.

Reason

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 DANIEL DAVID ARTHUR

The Committee considered an application from Mr. Daniel David Arthur of 39 Denham Avenue, Llanelli, for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

Mr. Arthur was accompanied by his parents. The Committee interviewed Mr. Arthur with regard to his application, received a character reference from his father, and observations from the police representative.

The Public Health Services Manager recommended that Mr. Arthur's application be refused.

The Committee thereupon

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

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

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr. Daniel David Arthur for the grant of a Hackney Carriage/Private Hire Dual Drivers 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. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR SEAN PATRICK DOHERTY

The Committee considered an application from Mr. Sean Patrick Doherty of 2 Globe Row, Dafen, Llanelli, for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee interviewed Mr. Doherty with regard to his application and received observations from the police representative. The Public Health Services Manager read to the Committee a letter of support for Mr. Doherty.

The Public Health Services Manager recommended that Mr. Doherty's application be refused.

The Committee thereupon

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

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

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr. Sean Patrick Doherty for the grant of a Hackney Carriage/Private Hire Dual Drivers 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.

9. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR JAMIE LEE GOODIER

The Committee was reminded that at its meeting held on the 5th January, 2016 (Minute 11 refers) it had resolved to defer consideration of the application for a Hackney Carriage/Private Hire Dual Driver's Licence submitted by Mr. Jamie Lee Goodier of Asheldon, Station Road, St. Clears, to its next meeting. The Public Health Services Manager advised that whilst Mr. Goodier had been notified of, and invited to attend, the meeting he was not in attendance and had not advised officers of any reason for his non-attendance.

RESOLVED that consideration of the application by Mr. Jamie Lee Goodier for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be further deferred to the next meeting of the Committee, and Mr. Goodier be advised that should he not attend that meeting his application would be determined in his absence.

10. MINUTES

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 5th January 2016 be signed as a correct record.

CHAIR

DATE