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TUESDAY, 6TH JULY, 2021

TO: ALL MEMBERS OF THE LICENSING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A VIRTUAL MEETING OF THE LICENSING COMMITTEE WHICH WILL BE HELD AT 10.00 A.M. ON TUESDAY, 13TH JULY, 2021 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Wendy Walters

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Mrs Michelle Evans Thomas
Telephone (Direct Line):	01267 224470
E-Mail:	MEEvansThomas@carmarthenshire.gov.uk

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

LICENSING COMMITTEE

14 MEMBERS

PLAID CYMRU GROUP – 7 MEMBERS

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

LABOUR GROUP – 4 MEMBERS

- | | | |
|----|------------|-----------------|
| 1. | Councillor | Suzy Curry |
| 2. | Councillor | Penny Edwards |
| 3. | Councillor | Amanda Fox |
| 4. | Councillor | Andre McPherson |

INDEPENDENT GROUP – 3 MEMBERS

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

***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. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 26TH MAY, 2021. 5 - 8
4. DELEGATING AUTHORITY TO OFFICERS. 9 - 12
5. REVIEW THE POLICIES RELATING TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS AND OPERATORS. 13 - 16
6. EXCLUSION OF THE PUBLIC
THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007 AS THEY CONTAIN INFORMATION RELATING TO A PARTICULAR INDIVIDUAL.

IF, FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST, THE COMMITTEE RESOLVES PURSUANT TO THE ACT TO CONSIDER THESE ITEMS IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.
7. HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE MISS SAMANTHA BERYL GRIFFITHS. 17 - 20
8. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR JASON DANIEL BAKER. 21 - 24
9. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR JOSHUA JAMES DAVIES 25 - 28
10. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR DAVID RHYDIAN THOMAS. 29 - 32
11. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR ABDULLA ALYUFRUSI. 33 - 36

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Licensing Committee

Wednesday, 26 May 2021

PRESENT: Councillor E.G. Thomas (Chair)

Councillors:

J.M. Charles, S.A. Curry, P.M. Edwards, W.T. Evans, J.K. Howell, H.I. Jones, A.S.J. McPherson, B.D.J. Phillips, J.S. Phillips, J.E. Williams and D.E. Williams

Also in attendance:

L. Bradshaw, Dyfed Powys Police Authority Representative;

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager
J. Power, Senior Licensing Officer
R. Edmunds, Consumer and Business Affairs Manager
S. Rees, Simultaneous Translator
M. Evans Thomas, Principal Democratic Services Officer
R. Lloyd, Democratic Services Officer
M.S. Davies, Democratic Services Officer

Virtual Meeting: 10.00 am - 11.05 am

1. APOLOGIES FOR ABSENCE.

An apology for absence was received from Councillor A. Fox.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interests.

3. APPOINTMENT OF MEMBERS TO SIT ON LICENSING SUB COMMITTEES FOR THE 2021-22 MUNICIPAL YEAR

The Committee considered a report on the provisions of the Licensing Act 2003 detailing the proposed composition of Licensing Sub Committees "A" and "B" for 2021/22 Municipal Year.

UNANIMOUSLY RESOLVED that the composition of Licensing Sub Committees "A" and "B" for the 2021/22 Municipal Year be as follows:

Licensing Sub Committee "A"

Councillors Mansel Charles, Suzy Curry, Amanda Fox, Ken Howell, Jim Jones, Dorian Phillips and Elwyn Williams.

Licensing Sub Committee "B"

Councillors Penny Edwards, Tyssul Evans, Irfon Jones, Andre McPherson, Susan Phillips, Edward Thomas and Eirwyn Williams.

4. APPOINTMENT OF CHAIRS OF LICENSING SUB-COMMITTEES FOR THE 2021-22 MUNICIPAL YEAR

The Committee considered nominations for Chairs of the Licensing Sub Committees for the 2021/22 Municipal Year.

UNANIMOUSLY RESOLVED

- 4.1 that Councillor M. Charles be appointed Chair of Licensing Sub Committee "A" for the 2021/22 Municipal Year;
- 4.2 that Councillor H.I. Jones be appointed Chair of Licensing Sub Committee "B" for the 2021/22 Municipal Year.

5. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 11TH FEBRUARY, 2021

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 11th February, 2021 be signed as a correct record.

6. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "B" HELD ON:

6.1. 9TH FEBRUARY 2021

UNANIMOUSLY RESOLVED that the minutes of the meeting of Licensing Sub Committee 'B' held on the 9TH February, 2021 be signed as a correct record.

6.2. 28TH APRIL 2021

UNANIMOUSLY RESOLVED that the minutes of the meeting of Licensing Sub Committee 'B' held on the 28TH April, 2021 be signed as a correct record.

7. EXCLUSION OF THE PUBLIC

RESOLVED, pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, that the public be excluded from the meeting during consideration of the following items as the reports contained exempt information as defined in paragraph 14 of Part 4 of Schedule 12A to the Act.

8. MR MICHAEL DAVID JAMES HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Senior Licensing Officer advised that Mr. James was unable to attend the meeting but had requested that the Committee proceed with considering the matter in his absence.

The Committee was informed that Mr Michael David James of 20 Job's Well Road, Carmarthen, was currently a licensed hackney carriage/private hire dual driver with this Authority and that an issue had arisen with his licence. A statement from Mr. James was read out to the Committee.

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

UNANIMOUSLY RESOLVED that in line with the Council's guidelines, Mr Michael David James be issued with a warning as to his future conduct.

Reason

On the evidence presented to the Committee, the Committee was satisfied that the facts presented did not warrant a suspension or revocation of the licence, but that a warning should be given.

9. JASON DANIEL BAKER APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr Jason Daniel Baker was unable to attend the meeting and had asked that consideration of his application be deferred.

RESOLVED that consideration of the application submitted by Mr Jason Daniel Baker for the grant of a hackney Carriage/Private Hire Dual Drivers Licence be deferred to the next meeting.

10. MR NIGEL ANDREW NOBES HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr Nigel Andrew Nobes of 7 Bridge Street, Newcastle Emlyn, was a licensed hackney carriage/private hire dual driver with this Authority but that his licence was currently suspended.

Mr Nobes was interviewed by his legal representative with regard to the issues surrounding the current suspension of his licence following which the Committee was afforded the opportunity to ask questions.

The Senior Licensing Officer recommended that Mr Nobes' Hackney Carriage/Private Hire Dual Drivers Licence be revoked.

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.

UNANIMOUSLY RESOLVED, in line with the Council's guidelines, that the suspension of Mr. Nigel Andrew Nobes' Hackney Carriage/Private Hire Dual Drivers Licence be lifted but that he be issued with a warning as to his future conduct.

Reason

On the evidence presented to the Committee, the Committee was satisfied that the facts presented did not warrant a revocation of the licence but that a warning should be given.

11. MRS JEANETTE DAVIES HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Senior Licensing Officer advised that Mrs. Davies was unable to attend the meeting but had requested that the Committee proceed with considering the matter in her absence.

The Committee was informed that Mrs Jeanette Davies of 27 Heol Llwyn Bedw, Hendy, was currently a licensed hackney carriage/private hire dual driver with this

Authority and that some issues had arisen with her licence. A statement from Mrs. Davies was read out to the Committee.

The Senior Licensing Officer recommended that Mrs Davies's Hackney Carriage/Private Hire Dual Drivers Licence be revoked.

UNANIMOUSLY RESOLVED, in line with the Council's guidelines, that Mrs Jeanette Davies's Hackney Carriage/Private Hire Dual Drivers Licence be revoked.

Reason

On the evidence presented, the Committee was satisfied that Mrs Davies was a not a fit and proper person to hold a licence.

CHAIR

DATE

LICENSING COMMITTEE

13/07/21

SUBJECT AND PURPOSE Delegating Authority to Officers

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

Where applications are made for a Vehicle Licence which is fully compliant with all Conditions of Licence other than the engine capacity being not less than 1200cc, Officers be granted Delegated Authority to deal with these applications only if they are satisfied that the new engine technology is of a standard that makes the difference between the engine in question and a 1200cc engine relatively negligible.

REASONS:

Council's Conditions of Licence.

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 Housing and Public Protection 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
13/07/21

SUBJECT
Delegating Authority to Officers

Exemption from Condition 13(e) of the Council's Licence Conditions for Private Hire Vehicles, and 15(e) of the Council's Licence Conditions for Hackney Carriage Vehicles.

Currently where an application is made to be granted an exemption from Condition 13(e) of the Council's Conditions of Licence for Private Hire Vehicles or 15(e) of the Council's Conditions of Licence for Hackney Carriage Vehicles, applicants must appear before the Licensing Committee. These conditions state that the engine capacity of the vehicle shall not be less than 1200cc.

With the introduction of improved engine technologies, the taxi trade are looking to licence more efficient and environmentally friendly vehicles. These vehicles may have an engine capacity of less than 1200cc, but the actual power output of the vehicle would be the equivalent to that of 1200cc or greater.

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
Delegation to Officers.		Licensing Section, 3 Spilman Street, Carmarthen

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LICENSING COMMITTEE

13/07/21

SUBJECT AND PURPOSE

Review the Policies relating to Hackney Carriage and Private Hire Vehicle Drivers and Operators

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

To provide an update to members on two documents that have recently been published that affect Hackney Carriage and Private Hire Licensing.

A further report, with an updated Taxi Policy will be brought before members in due course, prior to consultation with interested parties.

REASONS:

In order to have a consistency of standards across Wales.

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

EXECUTIVE SUMMARY

Licensing Committee

13/07/21

Review the Policies relating to Hackney Carriage and Private Hire Vehicles, Drivers and Operators

Carmarthenshire's Licensing Policies and Conditions relating to Hackney Carriage (taxi) and Private Hire Vehicles, Drivers and Operators have been in place for a number of years. With new statutory standards published by the Department for Transport (DfT) along with new recommendations published by the Welsh Government it is proposed that Carmarthenshire Council review its policies and conditions to incorporate these new standards and recommendations.

In July 2020 the Department for Transport (DfT) published Statutory Taxi & Private Hire Vehicle Standards with the focus on protecting children and vulnerable adults. The DfT state that following a detailed consultation it's clear there is a consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector.

The DfT standards have effect in Wales even though responsibility for taxi and private hire vehicle policy has been devolved to the Welsh Assembly. However, should the Welsh Government introduce legislation to regulate on these matters, the DfT standards would cease to apply.

In March 2021, the Welsh Government published the Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales. This document follows the Welsh Government's white paper 'Improving Public Transport' published in 2018. The aim of the recommendations contained in the document is to provide 'quick fixes' to improve the consistency of licensing standards and increase public safety across Wales. The recommendations form the basis for further development by Welsh Government into national standards.

There are 5 reasons outlined by Welsh Government to adopt the recommendations, public safety being the first. The public should be able to expect a licensed driver to be competent, honest, safe and trustworthy. There have been numerous reports in recent years in other parts of the Country involving child exploitation which have made it clear that weak and ineffective arrangements for taxi licensing in England and Wales left the public at risk; these new recommendations hope to rectify this by improving public safety across Wales. This also includes the safety of vehicles, along with improving the standards set for private hire operators.

Other reasons for adopting the recommendations include better consistency of standards across Wales, harmonised enforcement, increased accessibility of vehicles in Wales and better standards of customer service.

Changes to Statement of Taxi Policy

It is proposed that the Taxi Policies become one large document encompassing all the other supplementary policies and conditions that relate to taxi and private hire licensing. This will hopefully simplify matters for applicants and licensees as all the necessary documents will be available in one place.

The DfT statutory standards and the Welsh Government's Harmonisation of Taxi and Private Hire Vehicle Licensing recommendations will bring about many changes to our current Policies. In summary, the main changes are as follows:

Drivers

- Requirement for drivers to join the Disclosure & Barring Service (DBS) Update Service and have a DBS check every 6 months.
- Adopting the Welsh Government's Driver Code of Conduct.
- Updating the Private Hire Driver Conditions in line with the Welsh Government's Recommendations
- Group 2 Medical Standard
- Adopting the IOL Convictions Policy

Vehicles

- Requirement for vehicle proprietors to have an annual DBS check.
- Overseas criminal record check.
- Adopting the Welsh Government's policy on CCTV and Video Point of Impact Systems (VIPS)/Dash Cams in taxis and private hire vehicles.
- Impose the Welsh Government's recommendations for accessibility conditions on vehicle proprietors of taxis and private hire vehicles.

General

- To commit to reviewing Statement of Taxi Policy every 5 years in accordance with the DfT's Statutory Standards.
- Standardised application forms across Wales

DETAILED REPORT ATTACHED ?	No
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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
Welsh Government Consultation – Licensing of Taxis and Private Hire Vehicles in Wales.		Licensing Section, 3 Spilman Street, Carmarthen

Agenda Item 7

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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Agenda Item 8

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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Agenda Item 9

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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Agenda Item 10

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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Agenda Item 11

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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