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THURSDAY, 16 SEPTEMBER 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 AM ON THURSDAY, 23RD SEPTEMBER, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Wendy Walters

CHIEF EXECUTIVE



PLEASE RECYCLE

| | |
|---------------------------------|--|
| Democratic Officer: | Janine Owen |
| Telephone (Direct Line): | 01267 224030 |
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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 LICENSING SUB-COMMITTEE "A" HELD ON 7TH JULY 2021** 5 - 8
4. **TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 13TH JULY 2021** 9 - 14
5. **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THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT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.
6. **MR JASON OWEN JENKINS - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 15 - 18
7. **MR DEWI PENRY BOWEN - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 19 - 22
8. **MR ROBERT FISHER - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 23 - 26
9. **MR DAVID IAN ELIAS - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 27 - 30
10. **MR GLYNDWR PHILLIPS - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 31 - 34
11. **MISS DEBORAH THERESA MATTHEWS - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 35 - 38

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| 12. MR WILLIAM JOHN SPREADBURY - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE | 39 - 42 |
| 13. MR JASON LEE DAVIES - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE | 43 - 46 |
| 14. MR ABDULLA ALYUFRUS - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE | 47 - 50 |

Licensing Sub Committee A

Wednesday, 7 July 2021

PRESENT: Councillor J.M. Charles (Chair)

Councillors:

J.K. Howell and E.G. Thomas

Also present as observer:- Councillor D. Phillips

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager

R. Edmunds, Consumer and Business Affairs Manager

K. Smith, Licensing Officer

J. Owen, Democratic Services Officer

K. Thomas, Democratic Services Officer

Remote Meeting - , - 2.00 - 2.35 pm

1. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE. UAS CAR CARE, UNIT 7, THE FOOHOLD ENTERPRISE VILLAGE, BURY ROAD, LLANELLI, SA15 2DS.

The Legal Services Manager briefed all present on the procedure for the meeting.

The Sub Committee was advised that an application had been received from UAS Car Care for a premises licence in respect of Unit 7, the Foothold Enterprise Village, Bury Road, Llanelli SA15 2DS to allow:-

Supply of Alcohol – Monday to Sunday 12:00-23:00,

Films – Monday to Sunday 10:00 – 23:00

Opening Hours - Monday to Sunday 09:00 – 00:00,

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

Appendix A - copy of the application

Appendix B - representations submitted by Dyfed Powys Police

Appendix C - representations submitted by other persons

With regard to the Dyfed Powys Police's representations, detailed in Appendix B, the Sub Committee noted that they had been agreed by the applicant in full. It was further noted that no representative from the objectors, Llanelli Town Council were in attendance at the meeting.

The applicant advised the Sub Committee that the purpose of the application was to complement the existing coffee shop open at the premises on weekends only when the garage business was not operational, even though the application sought a licence for 7 days a week. He referred to the objections received from Llanelli Town Council and advised that the nearest licenced premises was situated at Machynys Golf Club and the nearest residential properties were some 10 minutes walking distance away. The Dyfed Powys Police had suggested a number of conditions be attached to the licence and those had been agreed with the police. He confirmed he had also liaised with the County Council's Environmental Health Division and its concerns had been addressed.

All parties were afforded the opportunity of questioning the applicant on his submission.

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, having considered the evidence placed before the Sub Committee, that the application be granted subject to the conditions agreed with the Dyfed Powys Police.

REASONS:

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

1. The premises had not previously had the benefit of a licence.
2. No evidence had been presented of a history of alcohol related crime and disorder at or in the immediate vicinity of the premises.
3. None of the responsible authorities objected to the granting of a licence.
4. The licence conditions requested by the police had been agreed by the applicant.
5. The premises was not in close proximity of residential premises.

The Sub-Committee had attached weight to the views of the responsible authorities.

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 were granted, where unsupported by such evidence, were not matters which they can properly take into account.

Whilst recognising the genuine concerns of the Town Council, the Sub Committee felt that the lack of evidence submitted in support of those concerns means that it cannot be justified in departing from the views of the police in this particular case.

Accordingly, the Sub-Committee was satisfied that to grant the application subject to the agreed licence conditions would not undermine the licensing objectives.

CHAIR

DATE

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LICENSING COMMITTEE

TUESDAY, 13TH JULY, 2021

PRESENT: Councillor E.G. Thomas [Chair]

Councillors:

J.M. Charles, S.A. Curry, 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

The following Officers were in attendance:

Mr R. Edgecombe – Legal Services Manager
Mr R. Edmunds – Consumer & Business Affairs Manager
Mr J. Power – Senior Licensing Officer
Mrs M. Evans Thomas – Principal Democratic Services Officer [Note Taker]
Ms E. Bryer – Democratic Services Officer [Assisting]
Mrs S. Rees – Simultaneous Translator

Also in attendance:

Mr D. Bizby - Dyfed Powys Police Authority Representative

Virtual Meeting : 10.00 a.m. - 11.05 a.m.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P. Edwards, A. Fox and T.J. Jones.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 26TH MAY, 2021

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 26th May, 2021 be signed as a correct record.

4. DELEGATING AUTHORITY TO OFFICERS

The Committee considered a report proposing that 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.

The Committee was reminded that 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 was 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.

UNANIMOUSLY RESOLVED that officers be granted delegated authority to deal with applications on the terms detailed in the report.

5. REVIEW THE POLICIES RELATING TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS AND OPERATORS

The Committee considered a report providing an update in relation to two recently published documents which affect Hackney Carriage and Private Hire licensing.

Carmarthenshire's licensing policies and conditions relating to Hackney Carriage 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 was proposed that Carmarthenshire Council review its policies and conditions to incorporate these new standards and recommendations.

In July 2020 the DfT published Statutory Taxi & Private Hire Vehicle Standards with the focus on protecting children and vulnerable adults. The DfT stated that, following a detailed consultation it was clear that there was 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 the responsibility for taxi and private hire vehicle policy has been devolved to the Welsh Government. 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 was to provide 'quick fixes' to improve the consistency of licensing standards and increase public safety across Wales. The recommendations formed the basis for further development by Welsh Government into national standards.

Five reasons were 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 hoped to rectify this by improving public safety across Wales. This also included the safety of vehicles, along with improving the standards set for private hire operators. Other reasons for adopting the recommendations included better consistency of

standards across Wales, harmonised enforcement, increased accessibility of vehicles in Wales and better standards of customer service.

It was therefore proposed that the taxi policies be included in one large document encompassing all the other supplementary policies and conditions that related to taxi and private hire licensing. This would hopefully simplify matters for applicants and licensees as all the necessary documents would 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 the Authority's current Policies.

In summary, the main changes were as follows:-

Drivers

- Requirement for drivers to join the Disclosure & Barring Service (DBS) 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.

It was noted that further report with an updated Taxi Policy would be presented to Committee in due course, prior to consultation with interested parties.

UNANIMOUSLY RESOLVED that the update report be noted.

6. 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.

7. HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE MISS SAMANTHA BERYL GRIFFITHS

The Committee was informed that Miss Samantha Beryl Griffiths of 3 Talyclun, Llangennech is a licensed Hackney Carriage/Private Hire Dual Driver with the Authority and that an issue had arisen with regard to her licence.

The Committee interviewed Miss Griffiths with regard to that issue.

The Senior Licensing Officer recommended that Miss Griffiths be issued with a warning as to her future conduct

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.

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, Miss Samantha Beryl Griffiths be issued with a warning as to her future conduct.

8. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR JASON DANIEL BAKER

The Committee was informed that Mr Baker was not in attendance and he had not contacted officers to advise that he was unable to attend. This application was deferred by the Committee at the last meeting as Mr Baker was unable to attend.

UNANIMOUSLY RESOLVED that Mr Baker be requested to appear before the Committee at the next meeting in order that his application be considered and that he be advised that should he fail to attend then his application will be considered in his absence.

9. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR JOSHUA JAMES DAVIES

The Committee considered an application from Mr Joshua James Davies of 36 Banc-Y-Ddraenen, Ammanford for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee interviewed Mr Davies with regard to his application.

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

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 the application submitted by Mr Joshua James Davies for the grant of a Hackney Carriage/Private Hire Dual Driver's 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.

10. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR DAVID RHYDIAN THOMAS

The Committee considered an application from Mr David Rhydian Thomas of 76 Bro Einon, Llanybydder for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee interviewed Mr Thomas with regard to his application.

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

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.

UNANIMOUSLY RESOLVED that the application submitted by Mr David Rhydian Thomas for the grant of a Hackney Carriage/Private Hire Dual Driver's 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.

11. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR ABDULLA ALYUFRUSI

Officers requested that consideration of this application be deferred to the next meeting.

UNANIMOUSLY RESOLVED that consideration of the application submitted by Mr Abdulla Alyufrusi be deferred to the next meeting of the Committee.

CHAIR

DATE

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Agenda Item 6

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 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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Agenda Item 12

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 13

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 14

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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