

LICENSING COMMITTEE

THURSDAY, 19TH MAY, 2016

PRESENT: Councillor T. Theophilus [Chair]

Councillors:

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

Also present at observers:

Mr R. Staines, Head of Housing & Public Protection
Councillor T.J. Jones, Executive Board Member for Environmental & Public Protection

The following officers were in attendance:

Mrs S. Watts - Public Health Services Manager
Mr R. Edgecombe - Legal Services Manager
Mr J. Power - Senior Licensing Officer
Mr P. Booth - Licensing Officer
Mrs M. Evans Thomas - Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 a.m. - 11.05 a.m.

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF PERSONAL INTERESTS.

Councillor	Minute No.	Nature of Interest
H.I. Jones	9 – Application for the Grant of a Hackney Carriage/Private Hire Dual Driver’s Licence – Mr Christopher Phillips	Applicant known to him.

3. PRIVATE HIRE VEHICLE LICENCE

The Committee considered an application from Mrs Julie Michelle Bury of M4 Services, 14 Hendre Road, Tycroes, Ammanford, Carmarthenshire, to be granted an exemption from Conditions 5a and 5b of the Council’s Licence Conditions for Private Hire Vehicles for her BMW 218 Gran Tourer registration number M4 4WYR.

Mrs Bury had requested that, as she intended to operate this vehicle for air and sea port travel and executive hire only, that she be granted an exemption from Conditions 5a and 5b of the Council’s Licence Conditions, namely that she be not required to display door stickers and a licence plate on the rear bumper of her vehicle. Mrs Bury had been previously granted this exemption for several vehicles operated by her.

Should the Licensing Committee agree to grant Mrs Bury an exemption from Conditions 5a and 5b of the Council’s Licence Conditions for Private Hire Vehicles,

then the following conditions would be attached to the licence:-

- (i) that the licensed BMW 218 Gran Tourer registration M4 4WYR be exempt from licence conditions 5a and 5b whilst being used for air and sea port travel and executive hire purposes, as outlined in the application by Mrs Bury;
- (ii) that, should the vehicle be used for private hire other than air and 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;
- (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 Mrs Julie Michelle Bury for an exemption from conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for her BMW 218 Gran Tourer registration number M4 4WYR be granted in accordance with the conditions detailed within the report.

4. PRIVATE HIRE VEHICLE LICENCE

The Committee considered an application from Mr Philip Ashley Jenkins of Ashley's Executive Cars, 2 Llys Pendderi, Bryn, Llanelli, Carmarthenshire, to be granted an exemption from Conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his BMW 520 Auto Estate registration number CP16 AUA.

Mr Jenkins had requested that, as he intended to operate this vehicle for executive hire only, that he be granted an exemption from Conditions 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 Jenkins had been previously granted this exemption for vehicles operated by him.

Should the Licensing Committee agree to grant Mr Jenkins an exemption from Conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles, then the following conditions would be attached to the licence:-

- (i) that the licensed BMW 520 Auto Estate registration CP16 AUA be exempt from licence conditions 5a and 5b whilst being used for executive hire purposes, as outlined in the application by Mr Jenkins;
- (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 Philip Ashley Jenkins for an exemption from conditions 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his BMW 520 Auto Estate registration number CP16 AUA be granted in accordance with the conditions detailed within the report.

5. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR KELVIN TREVOR JONES

The Committee considered an application from Mr Kelvin Trevor Jones of 3 Llys Picton, Picton Court, Carmarthen to renew his Hackney Carriage/Private Hire Dual Driver's Licence.

Mr Jones was 72 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".

Mr Jones had produced a medical certificate confirming that he was fit to drive a Hackney Carriage/Private Hire Vehicle.

The Committee thereupon

UNANIMOUSLY RESOLVED that the application by Mr Kelvin Trevor Jones to renew his Hackney Carriage/Private Hire Dual Driver's Licence be granted.

6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR PETER FREDERICK PALMER

The Committee considered an application from Mr Peter Frederick Palmer of Llainwern, Maesycrugiau, Pencader for the grant of a Hackney Carriage/ Private Hire Dual Driver's Licence.

Mr Palmer 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".

Mr Palmer had produced a medical certificate confirming that he was fit to drive a Hackney Carriage/Private Hire Vehicle.

The Committee thereupon

UNANIMOUSLY RESOLVED that the application by Mr Peter Frederick Palmer for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted.

FURTHER RESOLVED that a report be submitted to the Committee for consideration at the next meeting on the possibility of delegating authority to officers to process applications from persons over the age of 70.

7. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR PETER MORGAN SALMON

The Committee considered an application from Mr Peter Morgan Salmon of 7

Gwendraeth Town, Kidwelly to renew his Hackney Carriage/Private Hire Dual Driver's Licence. The Committee interviewed Mr Salmon with regard to his application.

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

The Committee thereupon

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Peter Morgan Salmon to renew his Hackney Carriage/ Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

8. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR ANDREW ROBERT DAVIES

The Committee considered an application from Mr Andrew Robert Davies of Flat 1, Black Lion Hotel, Pentre Road, St. Clears to renew his Hackney Carriage/Private Hire Dual Driver's Licence. The Committee interviewed Mr Davies with regard to his application.

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

The Committee thereupon

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Andrew Robert Davies to renew his Hackney Carriage/ Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

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

[NOTE: Councillor H.I. Jones, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof.]

The Committee considered an application from Mr Christopher Phillips of 22 Millbrook Crescent, Carmarthen for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee interviewed Mr Phillips with regard to his application.

The Public Health Services Manager recommended that Mr Phillips' 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 Christopher Phillips for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted.

Reasons

On the evidence presented the Committee was satisfied that the applicant was a fit and proper person to hold a licence.

10. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE - MR JASON RICHARD VAUGHAN

The Committee considered an application from Mr Jason Richard Vaughan of 17 Maesybryn, St. Clears, Carmarthen to renew his Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee interviewed Mr Vaughan with regard to his application.

The Public Health Services Manager recommended that Mr Vaughan's 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.

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Jason Richard Vaughan to renew his Hackney Carriage/Private Hire Dual Driver's Licence be granted, however, the licence be suspended for 14 days.

Reasons

On the evidence presented the Committee was satisfied that it was necessary to suspend the licence in order to protect the public

11. MINUTES - 7TH APRIL, 2016

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 7th April, 2016 be signed as a correct record.

CHAIR

DATE