

Document Pack



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

WEDNESDAY, 23 NOVEMBER 2016

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, CARMARTHEN AT 10.00 AM ON THURSDAY, 1ST DECEMBER, 2016** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Catherine Gadd
Telephone (direct line):	01267 224088
E-Mail:	cegadd@carmarthenshire.gov.uk
Ref:	AD016-001

**LICENSING COMMITTEE
15 MEMBERS**

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 D.B. Davies
3. Councillor I.J. Jackson [Chair]
4. Councillor H.I. Jones

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. MR DAVID KEITH MAYNARD - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE 5 - 8
4. MR ANDREW PAUL MORGANS - HACKNEY CARRIAGE VEHICLE LICENCE 9 - 12
5. MR PETER WILLIAM DUNKLEY - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE 13 - 16
6. MR DUDLEY PETER EVANS - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE 17 - 20
7. MR MATTHEW HODGON - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE 21 - 24
8. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "A" HELD ON 11TH OCTOBER, 2016 25 - 28
9. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 19TH OCTOBER, 2016 29 - 34

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LICENSING COMMITTEE

01/12/16

SUBJECT AND PURPOSE

Mr David Keith Maynard
Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Maynard's Hackney Carriage/Private Hire Dual Drivers Licence be Suspended for 7days.

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.

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EXECUTIVE SUMMARY
Licensing Committee
01/12/16

SUBJECT

Mr David Keith Maynard
Hackney Carriage/Private Hire Dual Drivers Licence

Mr David Keith Maynard of 2 Pontgoch, Bancyfelin, Carmarthen is a licensed hackney carriage/private hire dual driver with this authority.

This item was deferred by the Licensing Committee on the 19th October 2016.

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 Suspending Mr Maynard's licence is that he 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:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10138	Licensing Section, 3 Spilman Street, Carmarthen

LICENSING COMMITTEE

01/12/16

SUBJECT AND PURPOSE HACKNEY CARRIAGE VEHICLE LICENCE

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the application be granted.

REASONS:

Council's Guidelines Relating to the application process.

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
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EXECUTIVE SUMMARY
Licensing Committee
01/12/16

SUBJECT
HACKNEY CARRIAGE VEHICLE LICENCE

To consider an application from Mr Andrew Paul Morgans of AJ's Taxis, 38 Park View, Llanelli to be granted an exemption from Condition 15(e) of the Council's Conditions of Licence for Hackney Carriage Vehicles. This condition states that the engine capacity of the vehicle shall not be less than 1200cc.

Mr Morgans has requested that he be granted this exemption from Condition 15(e) of the Council's Conditions of Licence for a Nissan Leaf Electric Car. This vehicle features an advanced 24kWh or 30kWh rechargeable lithium-ion battery pack designed to provide clean, reliable power and therefore does not meet the current Engine Capacity Licence Condition.

This vehicle is fully compliant with all other Conditions of Licence for Hackney Carriage Vehicles.

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.	HC 747	Licensing Section, 3 Spilman Street, Carmarthen

LICENSING COMMITTEE

01/12/16

SUBJECT AND PURPOSE

Mr Peter William Dunkley
Hackney Carriage/Private Hire Dual Drivers Licence

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Dunkley be issued 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:

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EXECUTIVE SUMMARY
Licensing Committee
01/12/16

SUBJECT

Mr Peter William Dunkley
Hackney Carriage/Private Hire Dual Drivers Licence

Mr Peter William Dunkley of 70 Firth Road, Llanelli 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:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD30316	Licensing Section, 3 Spilman Street, Carmarthen

LICENSING COMMITTEE

01/12/16

SUBJECT AND PURPOSE

Mr Dudley Peter Evans

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Evans' 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

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EXECUTIVE SUMMARY
Licensing Committee
01/12/16

SUBJECT

Mr Dudley Peter Evans

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

To consider an application from Mr Dudley Peter Evans of 81 Maes yr Haf, Pwll, 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.	DD30903	Licensing Section, 3 Spilman Street, Carmarthen

LICENSING COMMITTEE

01/12/16

SUBJECT AND PURPOSE

Mr Matthew Hodgson

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

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That Mr Hodgson'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

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EXECUTIVE SUMMARY
Licensing Committee
01/12/16

SUBJECT

Mr Matthew Hodgson

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

To consider an application from Mr Matthew Hodgson of 15 Ashburnham Road, Llanelli to renew his 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.	DD30829	Licensing Section, 3 Spilman Street, Carmarthen

Tuesday, 11 October 2016

PRESENT: Councillor H.I. Jones (Chair)

Councillors:

P.M. Edwards and J. Thomas

Also present as observers: Councillors M.K. Thomas and D.E. Williams and Councillor T.J. Jones - Executive Board Member for Environmental and Public Protection

The following Officers were in attendance:

R. Edgecombe – Legal services Manager

E. Jones – Principal Licensing Officer

A. Rees – Licensing Officer

C. Thomas – Licensing Assistant

K. Thomas – Democratic Services Officer

Chamber, County Hall, Carmarthen - 10.00 - 11.03 am

1. DECLARATIONS OF PERSONAL INTEREST.

No Declarations of Interest were made at the meeting.

2. APPLICATION TO VARY A PREMISES LICENCE , THE SQUARE, 3 CROSS INN BUILDINGS, WIND STREET, AMMANFORD, SA18 3DN

The Legal Services Manager briefed all present on the procedure for the meeting and advised the Sub-Committee that an application had been submitted by Mr M Coelho to vary the premises licence in respect of The Square, 3 Cross Inn Buildings, Wind Street, Ammanford to allow:

Supply of Alcohol:	Friday and Saturday, Bank Holiday Sundays, Christmas Eve & Boxing Day	10:00 – 03:00
Recorded Music	Friday and Saturday, Bank Holiday Sundays, Christmas Eve & Boxing Day	10:00 – 03:00
	New Year's Eve	10:00 – 05:00
Opening Hours	Friday and Saturday, Bank Holiday Sundays, Christmas Eve & Boxing Day	10:00 – 03:30

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

- Appendix A – copy of the application
- Appendix B – copy of the current premises licence

- Appendix C – representations submitted by the Licensing Authority
- Appendix D – representations submitted by Dyfed Powys Police
- Appendix E - representations made by the Public Health Services
- Appendix F – representations submitted by other persons objecting to the application

The Licensing Authority representative referred to his representations, as detailed within Appendix C to the report, and advised that subsequent to the report's publication, correspondence had been received from both the Dyfed Powys Police and the Public Health Services withdrawing their objections, following an agreement having been reached with the applicant on the imposition of revised conditions, copies of which were circulated at the meeting. Additionally, an e-mail dated 19th September, 2016 from the applicant clarifying a number of points in relation to The Square's capacity, rear door and installation of cctv was also circulated.

Having regard to the agreement reached between the applicant, the Police and the Public Health Services on the revised conditions, the Licensing Authority considered it would be appropriate for those conditions to be applied to the new licence, should the Sub-Committee be minded to grant the variation application.

All parties present were afforded the opportunity of questioning the Licensing Authority's representative on his submission.

A representation was received from an objector on behalf of local residents living in the vicinity of The Square regarding the current noise emanating from the premises and to the potential impact the granting of the variation for one additional hour's opening could have on their amenity. A Concern was also expressed on whether the premises was becoming a night club, especially having regard to the fact a previous (planning) application in the area for a night club had not been granted. In conclusion, the Sub-Committee was advised that most other premises within the area closed at 1.00 a.m.

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

A representation was received from the applicant in support of his application. He referred to concerns expressed regarding the rear door and confirmed that the majority of customers vacated the premises via the front door. With regard to concerns of noise, he confirmed that he had not received any complaints from either the Council or the Police, and that, possibly, any noise nuisance was being created by members of the public walking through the adjacent park abutting the residents' properties in the early hours. He referred to the application to vary the licence until 3.00 a.m., and advised that should the variation be granted, he was of the view the majority of patrons would leave the premises incrementally prior to that time, thereby, avoiding the current position where they all left at 2.00 a.m. He further commented on the Action Plan for the premises, introduced in 2014 following a police request, and advised that its introduction had resulted in the operation of the premises having improved.

All parties present 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 to the Local Government Act.

Following the adjournment, the Sub-Committee reconvened to advise of its decision and, having 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 that the application for the variation of the premises licence for The Square Ammanford be granted subject to the additional licence conditions agreed between the applicant and the responsible authorities
REASONS

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

1. There had been a history of alcohol related crime and disorder at the premises, culminating in an Action Plan in 2014
2. Since the Action Plan was implemented, there had been no further problems at the premises
3. Neither the Police nor Public Health Services objected to the grant of the application in principle
4. Both the Police and Public Health Services requested the implementation of additional control measures to promote the licensing objectives
5. The applicant, police and public health had agreed additional conditions to be added to the licence to promote the licensing objectives.

The Sub-Committee had attached weight to the views of the police and public health services and found no reason to depart from their views.

The Sub-Committee recognised that its decision must be based upon real evidence, and that concerns and fears about what might happen if the application were granted, where unsupported by such evidence, were not matters which it could properly take into account.

The Sub-Committee accepted the evidence of the objectors regarding crime and disorder and noise nuisance in the vicinity of the premises. However it also accepted the evidence of the Police and Public Health Services that the licensing objectives could be promoted by the implementation of the additional control measures agreed with the applicant.

Accordingly the Sub-Committee was satisfied that to grant the application subject to the agreed conditions would not undermine the licensing objectives and that furthermore it was appropriate to grant the application subject to the agreed conditions in order to promote those objectives.

The Sub-Committee reminds the applicant that he must comply with all the additional conditions whenever making use of the additional opening hours granted

CHAIR

DATE

LICENSING COMMITTEE

Wednesday, 19 October 2016

PRESENT: Councillor I.J. Jackson (Chair)

Councillors:

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

Also present as observers: Councillor D.B. Davies and Councillor T.J. Jones (Executive Board Member for Environmental and Public Protection)

The following Officers were in attendance:

S.E. Watts – Public Health Services Manager
 R. Edgecombe – Legal Services Manager
 J. Power – Senior Licensing Officer
 P. Booth - Licensing Officer
 K. Thomas – Democratic Services Officer

Representing the Dyfed Powys Police: Mr M. Price

Chamber, - County Hall - 10.00 am - 12.50 pm

1. APOLOGIES AND OTHER MATTERS.

- Apologies for absence were received from Councillors T. Bowen and H.I. Jones.
- The Chair referred to Councillor H.I. Jones’ recent ill health and extended his wishes for a speedy recovery.
- The Chair welcomed Councillor D.B. Davies to his first meeting following his appointment onto the Licensing Committee by Council, at its meeting held on the 12th October. It was noted that Councillor Davies was attending the meeting as an observer pending him receiving appropriate training, as required under the Council’s Corporate Procedure Rules

2. DECLARATIONS OF PERSONAL INTERESTS.

Councillor	Minute No.	Nature of Interest
J.S. Williams	6 – Application to renew a Hackney Carriage/Private Hire Dual Drivers Licence	Knows the applicant

3. MR ERNEST TUDOR DAVIES - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/ PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mr Ernest Tudor Davies of 62 Gors Fach, Pwlltrap, St Clears, Carmarthen for the grant of a Hackney Carriage/Private Hire Dual Driver’s Licence.

The Committee interviewed Mr Davies with regard to his application and was also advised of the contents of a letter support written by his partner.

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

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Ernest Tudor Davies for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted, but that he be not issued with a warning as to his future conduct.

4. MR WAYNE SMITH RUSSELL - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

In accordance with Minute 4 of its meeting held on the 8th September, 2016 the Committee considered an application from Mr Wayne Smith Russel of 29 Pentre Doc y Gogledd, Llanelli, to renew his Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee was advised that correspondence had been received from Mr Russel, the previous day, advising that due to family circumstances he was unable to attend the Licensing Committee that day. Mr Russel had also conveyed within that correspondence an apology to the Council for not having advised it of his motoring convictions, as required under his licence conditions.

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

The Committee thereupon

RESOLVED

- 4.1 that Mr Russel's application for the renewal of his Hackney Carriage / Private Hire Dual Driver's Licence be considered in his absence**
- 4.2 that, in line with the Council's guidelines, the application submitted by Mr Wayne Smith Russell for the renewal of his Hackney Carriage / Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.**

5. MR DAVID WILLIAM DAVIES - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr David William Davies of 4 Morfa Lane, Carmarthen, was a licensed Hackney Carriage/Private Hire Dual Driver with the authority and that an issue had arisen with regard to his licence. The Committee interviewed Mr Davies with regard to that issue

The Public Health Services Manager recommended that Mr Davies be issued with a final warning as to his future conduct.

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 accordance with the provisions of Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 Mr David William Davies' Hackney Carriage/Private Hire Dual Drivers Licence be granted and that he be issued with a final warning as to his future conduct.

6. MR NEIL ASHLEY PALMER - APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

(Note: Councillor J.S. Williams, having earlier declared an interest in this item, left the Council Chamber during its determination by the Committee)

The Committee considered an application from Mr Neil Ashley Palmer of 46 Ffordd Aneurin, Pontyberem, Llanelli, to renew his Hackney Carriage/Private Hire Dual Driver's Licence. The Committee interviewed Mr Palmer with regard to his application.

The Public Health Services Manager advised that whilst it was considered Mr Palmer's application should be granted, it was also felt that grant should be suspended for a period of 7 days.

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 Neil Ashley Palmer to renew his Hackney Carriage/Private Hire Dual Driver's Licence be granted, but that the licence be also suspended for a period of twenty four hours.

Reasons

The Committee, having regard to the evidence presented, was satisfied that the applicant was a fit and proper person to hold a licence. However, the Committee was also satisfied that a short period of suspension was necessary in this case, and reasonable in order to remind the applicant of his obligations. The Committee felt that the recommended 7 day period of suspension would be disproportionate.

7. MR DAVID KEITH MAYNARD - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr David Keith Maynard of 2 Pontgoch, Bancyfelin, Carmarthen was a licensed Hackney Carriage/Private Hire Dual Driver

with the authority and that an issue had arisen with regard to his licence. The Committee interviewed Mr Maynard with regard to that issue. It was also advised of the contents of two letters received from the complainant in the matter together with Mr Maynard's written response.

The Public Health Services Manager recommended that Mr Maynard's Licence be suspended for a period of seven days.

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 consideration of the complaint made against Mr Maynard be deferred to the next appropriate meeting of the Committee in order for officers to undertake further investigations and to afford the complainant the opportunity of addressing the Committee in relation to the complaint.

8. MR REGINALD JOHN DAVIES - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee was informed that Mr Reginald John Davies of Llwyncelyn Cottage, Waun Dyrfal, Llangadog was a licensed Hackney Carriage/Private Hire Dual Driver with the authority and that an issue had arisen with regard to his licence. The Committee interviewed Mr Davies with regard to that issue. It also received video evidence relating to the complaint made against Mr Davies together with a character reference from County Councillor A. James.

The Public Health Services Manager recommended that Mr Davies' Licence be revoked.

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 accordance with the provisions of Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 Mr Reginald John Davies be issued with a final warning as to his future conduct.

Reasons:

The Committee having regard to the evidence presented accepted that the word "reidad" had different meanings and that Mr Davies meant it as a threat to overcharge the complainant if he ever used Mr Davies' taxi. However, it was understandable that the complainant would interpret the word as a threat of violence. In light of what Mr Davies meant by the words used, his exemplary

record over 39 years as a licensed driver, the Committee was satisfied there's no reasonable cause to suspend or revoke his licence. A final warning however would be appropriate in the circumstances, as such behaviour to a public servant was unacceptable.

9. TO APPOINT A MEMBER TO SERVE ON LICENSING SUB COMMITTEE B

The Committee was advised that following Council's decision, at its meeting held on the 12th October, 2016 to appoint Councillor D.B. Davies as a member of the Licensing Committee, it would now be necessary for the Committee to appoint a member to fill the vacancy on Licensing Sub Committee B

RESOLVED that Councillor D.B. Davies be appointed to serve on Licensing Sub Committee B.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "C" HELD ON 31ST AUGUST, 2016.

RESOLVED that the minutes of the meeting of Licensing Sub Committee 'C' held on the 31st August, 2016 be signed as a correct record subject to it being noted that Councillor K. Howell had tendered his apology for the meeting.

11. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 8TH SEPTEMBER, 2016.

RESOLVED that the minutes of the meeting of the meeting of the Licensing Committee held on the 8th September, 2016 be signed as a correct record.

CHAIR

DATE

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