

# Document Pack



sirgar.llyw.cymru  
carmarthenshire.gov.wales

**TUESDAY, 5 JULY 2022**

**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. SA31 1JP AND REMOTELY AT 10.00 AM ON TUESDAY, 12TH JULY, 2022 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA**

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Kevin Thomas</b>
<b>Telephone (direct line):</b>	<b>01267 224027</b>
<b>E-Mail:</b>	<b><a href="mailto:kjthomas@carmarthenshire.gov.uk">kjthomas@carmarthenshire.gov.uk</a></b>
<b>This is a multi-location meeting. Committee members can attend in person at the venue detailed above or remotely via the Zoom link which is provided separately.</b>	
<b>The meeting can be viewed on the Authority's website via the following link:- <a href="https://carmarthenshire.public-i.tv/core/portal/home">https://carmarthenshire.public-i.tv/core/portal/home</a></b>	

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

## **LICENSING COMMITTEE**

### **PLAID CYMRU GROUP - 8 Members**

Cllr. Mansel Charles  
Cllr. Alex Evans  
Cllr. Tyssul Evans  
Cllr. Ken Howell  
Cllr. Hefin Jones  
Cllr. Jean Lewis  
Cllr. Dorian Phillips  
Cllr. Elwyn Williams

### **LABOUR GROUP - 4 Members**

Cllr. Peter Cooper  
Cllr. Suzy Curry  
Cllr. Dot Jones  
Cllr. Kevin Madge

### **INDEPENDENT GROUP - 0 Members**

### **UNAFFILIATED**

Cllr. Michael Cranham

# **A G E N D A**

- 1. APOLOGIES FOR ABSENCE.**
- 2. DECLARATIONS OF PERSONAL INTERESTS.**
- 3. LICENSING ACT 2003 - APPOINTMENT OF LICENSING SUB-COMMITTEES** 5 - 8
- 4. APPOINTMENT OF CHAIRS OF LICENSING SUB-COMMITTEES FOR THE 2022-23 MUNICIPAL YEAR**
- 5. PRIVATE HIRE VEHICLE LICENCE** 9 - 12
- 6. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 5TH APRIL 2022** 13 - 16
- 7. 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**THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT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.**
- 8. MR MARTIN DUNNE - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 17 - 20
- 9. MR JASON LEWIS THOMAS - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 21 - 24
- 10. MR KIERAN ROGER PRYOR BOWEN - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 25 - 28
- 11. MRS NICOLA JAYNE JONES - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 29 - 32

- |     |   |         |
|-----|---|---------|
| 12. | <b>MRS ABIGAIL RACHEL JONES - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE</b> | 33 - 36 |
| 13. | <b>MR ADAM LEE MORSE - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE</b>        | 37 - 40 |

## LICENSING COMMITTEE 12<sup>TH</sup> JULY 2022

### LICENSING ACT 2003 APPOINTMENT OF LICENSING SUB-COMMITTEES

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

It is recommended that the Committee considers the establishment of Sub-Committees to discharge the Council's Licensing functions under the provisions of the Licensing Act 2003.

#### REASONS:

To ensure the efficient discharge of the Council's functions under the provisions of the Licensing Act 2003.

Relevant Scrutiny Committee Consulted	N/A
Cabinet Decision Required	NO
Council Decision Required	NO

Cabinet Member Portfolio Holder: Councillor Aled Vaughan Owen

Directorate:  
Chief Executive's

Name of Head of Service  
Linda Rees Jones

Report Author  
Robert Edgecombe

Designation:

Head of Administration & Law

Acting Legal Services Manager

Tel: 01267 224018  
E-mail: RJEdgecombe  
@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
LICENSING COMMITTEE  
12<sup>TH</sup> JULY 2022**

**LICENSING ACT 2005  
APPOINTMENT OF LICENSING SUB-COMMITTEES**

Council, at its meeting held on the 6<sup>th</sup> January, 2005, gave consideration to the arrangements to be made to ensure the efficient discharge of its duties under the provisions of the Licensing Act 2003.

The previous Authority established two Sub-Committees comprising 7 members each, as politically balanced as possible.

It is suggested that the two sub Committees be retained with the suggested membership detailed below. The appointment of Chairs for each Sub-Committee will be considered under the next item on the agenda.

**Sub-Committee “A”**

Councillor Mansel Charles  
Councillor Peter Cooper  
Councillor Michael Cranham  
Councillor Suzy Curry  
Councillor Alex Evans  
Councillor Tyssul Evans  
Councillor Ken Howell

**Sub-Committee “B”**

Councillor Dot Jones  
Councillor Hefin Jones  
Councillor Jean Lewis  
Councillor Dorian Phillips  
Councillor Elwyn Williams  
Councillor Kevin Madge  
Vacancy

NOTE: Three members of the Sub-Committee will be drawn from those seven members on a rotational basis on any given day.

**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: Linda Rees-Jones

Head of Administration & Law

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones

Head of Administration & Law

**1.Local Member(s):**

**N/A**

**2.Community / Town Council:**

**N/A**

**3.Relevant Partners:**

**N/A**

**4.Staff Side Representatives and other Organisations:**

**N/A**

**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

**THERE ARE NONE**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
-------------------	--------------	---

This page is intentionally left blank

## LICENSING COMMITTEE

12<sup>TH</sup> JULY 2022

### SUBJECT AND PURPOSE PRIVATE HIRE VEHICLE LICENCE

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

That the application be granted.

#### 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](mailto:jmorgan@carmarthenshire.gov.uk)

01267 228932

[JHPower@carmarthenshire.gov.uk](mailto:JHPower@carmarthenshire.gov.uk)

**EXECUTIVE SUMMARY**  
**Licensing Committee**  
**12<sup>TH</sup> JULY 2022**

**SUBJECT**  
**PRIVATE HIRE VEHICLE LICENCE**

To consider an application from Mr Nathan Edward James Courtney of Courtney Wedding Cars Ltd, 42 Maes Y Capel, Pembrey, Burry Port to be granted an exemption from Condition 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for his Private Hire Vehicle PH 564 a TESLA MODEL X registration number GU67 FKO.

Mr Courtney has requested that as he intends to operate this vehicle for Executive Hire, Airport/Sea Port and Proms work only, that 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.

Should the Licensing Committee agree to grant Mr Courtney an exemption from condition 5a and 5b of the Council's Licence Conditions for Private Hire vehicles, then the following Licence Conditions be attached to the Licence:-

That the licensed TESLA MODEL X PH 564 registration number GU67 FKO be exempt from licence conditions 5a and 5b, whilst being used for Executive Hire purposes as outlined in the application by Mr Courtney.

That should the vehicle be used for Private Hire other than Executive Hire type work listed, then the applicant shall immediately notify the Licensing Authority and the exemption shall cease in relation to such hiring.

That the vehicle displays an identification disc on the front and rear windscreens, as specified by the Licensing 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 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.	PH 564	Licensing Section, 3 Spilman Street, Carmarthen

This page is intentionally left blank

Licensing Committee

Tuesday, 5 April 2022

**PRESENT:** Councillor E.G. Thomas (Chair)

**Councillors:**

J.M. Charles, W.T. Evans, 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:**

J. Power, Senior Licensing Officer  
R. Edgecombe, Legal Services Manager  
E. Evans, Principal Democratic Services Officer [webcasting]  
E. Bryer, Democratic Services Officer  
J. Owens, Democratic Services Officer [note taker]

**Virtual Meeting - 10.00 - 11.43 am**

*[NOTE: The Chair advised the Committee that, in accordance with Council Procedure Rule 2(3) he was going to vary the order of business on the agenda to enable the technical issue experienced by Cllr H.I. Jones (Chair of Licensing Sub Committee B) to be resolved. These minutes reflect the order of business as itemised on the agenda].*

**1. APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors S. Curry, P. Edwards and A. Fox.

**2. DECLARATIONS OF PERSONAL INTERESTS.**

There were no declarations of personal interests.

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "B" HELD ON THE 15TH FEBRUARY 2022**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of Licensing Sub Committee 'B' held on the 15<sup>TH</sup> February, 2022 be signed as a correct record.

**4. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 17TH FEBRUARY 2022**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of Licensing Committee held on the 17<sup>th</sup> February, 2022 be signed as a correct record.

## **5. EXCLUSION OF 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 12 of Part 4 of Schedule 12A to the Act.

## **6. MR MOHAMMAD ASHRAF - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE**

[Note: Mr Ashraf was in attendance by telephone].

The Committee was informed that Mr Mohammad Ashraf of Meadow Croft, Bronwydd Arms, Carmarthen is a licensed Hackney Carriage/Private Hire Dual Driver with the Authority and that an issue had arisen with regard to his licence.

The Committee received for consideration written representations submitted by Dyfed Powys Police Authority.

The Committee interviewed Mr Ashraf with regard to that issue.

The Senior Licensing Officer recommended that Mr Ashraf be issued 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, in line with the Council's guidelines, Mr Mohammad Ashraf be issued with a warning as to his future conduct.

## **7. MR DONALD LYN EVANS - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE**

The Committee considered an application from Mr Donald Lyn Evans of 1 Llwyd Road, Ammanford for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee received for consideration written representations submitted by Dyfed Powys Police Authority.

The Committee interviewed Mr Evans and his representative with regard to his application and the issues raised by the Senior Licensing Officer.

The Senior Licensing Officer recommended that Mr Evans' 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 the application submitted by Mr Donald Lyn Evans for the grant of a Hackney Carriage/Private Hire Dual Driver's 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. MR MARK EDWARD JOHN - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE**

The Committee considered an application from Mr Mark Edward John of 18 Brynderwen, Carmarthen for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee received for consideration written representations submitted by Dyfed Powys Police Authority.

The Committee interviewed Mr John and his representative with regard to his application and the issues raised by the Senior Licensing Officer.

The Senior Licensing Officer recommended that Mr John'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 the application submitted by Mr Mark Edward John for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be refused.

Reason

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

**9. MRS SARAH HELENA HAVARD - HACKNEY CARRIAGE/PRIVATE HIRE  
DUAL DRIVERS LICENCE**

The Committee was informed that Mrs Sarah Helena Havard of 52 Banc-Y-Ddraenen Ammanford, was a licensed Hackney Carriage/Private Hire Dual Driver with the Authority and that an issue had arisen with regard to her licence.

The Senior Licensing Officer advised that Mrs Sarah Helena Havard was not in attendance at the meeting and had failed to engage with the Authority regarding the correspondence issued to her. The Committee, having regard to the above

**UNANIMOUSLY RESOLVED to determine the matter in the absence of Mrs Sarah Helena Havard.**

The Committee received a report from the Senior Licensing Officer providing details of the issue. He recommended that Mrs Havard's Carriage/Private Hire Dual Drivers Licence be revoked.

The Committee thereupon

**UNANIMOUSLY RESOLVED that, in line with the Officer's recommendations, Mrs Havard's Hackney Carriage/Private Hire Dual Drivers Licence be revoked.**

Reason:

On the evidence presented, the Committee was satisfied that there was reasonable cause to revoke the licence.

---

**CHAIR**

---

**DATE**

# 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.

Document is Restricted

This page is intentionally left blank

# 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.

Document is Restricted

This page is intentionally left blank

# 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.

Document is Restricted

This page is intentionally left blank

# 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.

Document is Restricted

This page is intentionally left blank

# 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.

Document is Restricted

This page is intentionally left blank

# 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.

Document is Restricted

This page is intentionally left blank