

**MONDAY, 23 OCTOBER 2023**

**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, 31ST OCTOBER, 2023** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

*Wendy Walters*

**CHIEF EXECUTIVE**



**PLEASE RECYCLE**

<b>Democratic Officer:</b>	<b>Emma Bryer</b>
<b>Telephone (Direct Line):</b>	<b>01267 224029</b>
<b>E-Mail:</b>	<b><a href="mailto:ebryer@carmarthenshire.gov.uk">ebryer@carmarthenshire.gov.uk</a></b>

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

# LICENSING COMMITTEE

14 MEMBERS

## PLAID CYMRU GROUP – 8 MEMBERS

- |    |            |                              |
|----|------------|------------------------------|
| 1. | Councillor | Mansel Charles (Chair)       |
| 2. | Councillor | Alex Evans                   |
| 3. | Councillor | Tyssul Evans                 |
| 4. | Councillor | Ken Howell                   |
| 5. | Councillor | Hefin Jones                  |
| 6. | Councillor | Jean Lewis                   |
| 7. | Councillor | Dorian Phillips (Vice Chair) |
| 8. | Councillor | Elwyn Williams               |

## LABOUR GROUP – 4 MEMBERS

- |    |            |              |
|----|------------|--------------|
| 1. | Councillor | Peter Cooper |
| 2. | Councillor | Suzy Curry   |
| 3. | Councillor | Dot Jones    |
| 4. | Councillor | Kevin Madge  |

## INDEPENDENT GROUP – 2 MEMBERS

- |    |            |                 |
|----|------------|-----------------|
| 1. | Councillor | Louvain Roberts |
| 2. | Vacancy    |                 |

**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 9TH AUGUST, 2023** 5 - 6
4. **TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "B" HELD ON 4TH OCTOBER, 2023** 7 - 10
5. **TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 21ST SEPTEMBER, 2023** 11 - 14
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THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 12 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT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. **MR IAN RICHARD PRICE - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE.** 15 - 18
8. **MR GARETH LAURENCE WILLIAMS - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE.** 19 - 22
9. **MR LEE STUART JONES - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVER'S LICENCE.** 23 - 26
10. **MR IMTIAZ RASOOL - APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE.** 27 - 30
11. **MR GLEN JOHN DAVIES - APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE** 31 - 34

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## LICENSING SUB-COMMITTEE A

WEDNESDAY, 9 AUGUST 2023

**PRESENT:** Councillor J.M. Charles (Chair) (Virtually)

**Councillors (Virtually):**

A. Evans

W.T. Evans

**Observer (Virtually):**

Councillor S.A. Curry

**Also Present (Virtually):**

R. Edgecombe, Legal Services Manager

E. Jones, Licensing Lead

A. Rees, Licensing Officer

E. Evans, Principal Democratic Services Officer

A. Eynon, Principal Translator

J. Owens, Democratic Services Officer

**Virtual Meeting - 10.00 - 11.29 am**

**1. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of personal interest.

**2. EXCLUSION OF THE PUBLIC**

**UNANIMOUSLY RESOLVED** pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following item was not for publication as the report contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.

**3. LICENSING ACT 2003 - FILM CLASSIFICATION REQUEST**

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED**, pursuant to the Act referred to in Minute Item 2 above, to consider this matter in private, with the public excluded from the meeting as disclosure would result in publication of an uncertificated film which would undermine the licensing objectives.

The Sub-Committee considered a request submitted by Llinos Hallgarth, on behalf of Cered – Menter Iaith Ceredigion, seeking a recommendation regarding the admission of children to view a previously unclassified film.

Note: These minutes are subject to confirmation at the next meeting.

The Sub-Committee noted that in order to satisfy the requirements of the Licensing Act 2003, the film shown must have a recommendation concerning the admission of children issued by either the British Board of Film Classification Body (BBFC) or relevant Licensing Authority.

To enable the Sub-Committee to make the required recommendation regarding the admission of children to view the film, it was afforded the opportunity of viewing the film and took into consideration the guidelines in relation to age ratings produced by the BBFC.

Having considered all the evidence before it, the Sub-Committee

**UNANIMOUSLY RESOLVED** that the film entitled 'Teulu Ty Crwn' be classified with a PG rating.

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**CHAIR**

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**DATE**

Note: These minutes are subject to confirmation at the next meeting.

## LICENSING SUB-COMMITTEE B

WEDNESDAY, 4 OCTOBER 2023

**PRESENT:** Councillor D.E. Williams (Chair) (In Person)

**Councillors (In Person):**

B.D.J Phillips

**Councillors (Virtually):**

M.J.A. Lewis

**Observers (Virtually):**

Councillor D. Jones                      Councillor K. Madge

**Also in attendance (Virtually):**

D. Paffett, Dyfed Powys Police Authority Representative

**Also Present (In Person):**

R. Edgecombe, Legal Services Manager

E. Jones, Licensing Lead

K. Smith, Licensing Officer

E. Evans, Principal Democratic Services Officer

J. Owens, Democratic Services Officer

**Also Present (Virtually):**

M. Runeckles, Members Support Officer

S. Rees, Simultaneous Translator

**Chamber, County Hall, Carmarthen, SA31 1JP - County Hall, Carmarthen. SA31 1JP. - 2.00 - 2.43 pm**

**1. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of Personal Interest.

**2. MR ALEXANDER DANIELS - PERSONAL LICENCE HOLDER**

It was reported that Mr Alexander Daniels of 27 Brynawelon, Llanelli, SA14 8PU, held a Personal Licence with the Authority, and had been convicted of a relevant offence which required consideration by the Sub-Committee.

The Sub-Committee considered the documents submitted, and all relevant written representations received from the parties.

The Licensing Lead advised the Sub-Committee of the issues that had arisen in respect of Mr Daniels' personal licence. Oral representations were also received from the Dyfed Powys Police representative and Mr Daniels.

Note: These minutes are subject to confirmation at the next meeting.

All parties present were afforded the opportunity of questioning regarding the representations made.

The Licensing Lead recommended that consideration be given to suspend or revoke Mr Daniels' personal licence.

The Sub-Committee thereupon

**UNANIMOUSLY RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12 to the Local Government Act.**

Having regard to the relevant paragraphs of the Licensing Authority's Statement of Licensing Policy and the guidance issued by the DCMS and the Home Office, it was:

**FURTHER UNANIMOUSLY RESOLVED, having considered all the evidence before it, that Mr Daniels' personal licence be suspended for a period of 15 days.**

#### Reasons

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

- That Mr Daniels has held a personal licence since October 2019.
- Mr Daniels was convicted of an offence of driving under the influence of alcohol on 01/02/2023. He was banned from driving for 14<sup>th</sup> months.
- Mr Daniels was unable to give a breath sample at the roadside. Instead, he gave a blood sample at police station. There was 125mg alcohol in blood sample. The limit is 80mg. He was stopped by the police as he was speeding.
- Mr Daniels did not notify the Licensing authority of his conviction.
- The conviction only came to light because of an application to vary the DPS for a premises in June 2023.
- Mr Daniels has not previously been convicted of a qualifying criminal offence.
- Mr Daniels has not previously had a personal licence suspended or revoked.
- Suspension or revocation would adversely impact Mr Daniels' livelihood.
- The Sub-Committee notes it has a discretion to suspend or revoke Mr Daniels' licence.

Note: These minutes are subject to confirmation at the next meeting.



- The Sub-Committee attached weight to the views of the police.

Having regard to all the evidence and representations the Sub-Committee is satisfied on the balance of probabilities that it is appropriate for Mr Daniels' personal licence to be suspended for 15 days in order to promote the crime prevention objective in the Licensing Act 2003. This is because as a personal licence holder Mr Daniels has a responsibility to help prevent others committing alcohol related offences, including drink driving and his commission of this offence is therefore of grave concern.

The Sub-Committee considers this to be a proportionate response to the facts put before it. The Sub-Committee felt that revocation or a longer period of suspension would disproportionately impact upon Mr Daniels, but also that not imposing a period of suspension would be a failure on the part of the Sub-Committee to promote the licensing objectives.

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**CHAIR**

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**DATE**

Note: These minutes are subject to confirmation at the next meeting.

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## LICENSING COMMITTEE

THURSDAY, 21 SEPTEMBER 2023

**PRESENT:** Councillor J.M. Charles (Chair)

**Councillors (In Person):**

P. Cooper

**Councillors (Virtually):**

S.A. Curry

A. Evans

W.T. Evans

J.K. Howell

D. Jones

M.J.A. Lewis

B.D.J. Phillips

**Also in attendance (Virtually):**

L. Bradshaw - Dyfed Powys Police Authority Representative

**Also Present (In Person):**

R. Edgecombe, Legal Services Manager

A. Eynon, Principal Translator

E. Evans, Principal Democratic Services Officer

E. Bryer, Democratic Services Officer

**Also Present (Virtually):**

J. Power, Senior Licensing Officer

M. Runeckles, Members Support Officer

**Chamber - County Hall, Carmarthen. SA31 1JP and remote - 10.00 - 10.50 am**

**1. APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors H. Jones, K. Madge and D.E. Williams.

**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 27TH JULY 2023**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of Licensing Committee held on the 27<sup>th</sup> July, 2023 be signed as a correct record.

Note: These minutes are subject to confirmation at the next meeting.

#### 4. 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 12 of Part 4 of Schedule 12A to the Act.

#### 5. MR IAN RICHARD PRICE - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Senior Licensing Officer referred to the application received from Mr Ian Richard Price of Crynga Bach, Llwyndrain, Llanfyrnach for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence. As Mr Price was not in attendance at the meeting the Senior Licensing Officer requested that its consideration be deferred to the next meeting.

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

#### 6. MR PHILIP GEORGE MALIPHANT - APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE

The Committee considered an application from Mr Philip George Maliphant of Ystafell Fach, Llanddarog Road, Llanarthne for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Senior Licensing Officer informed the Committee of the issues that had arisen in respect of the application.

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

The Senior Licensing Officer recommended that Mr Maliphant's application be granted with a 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.

**UNANIMOUSLY RESOLVED** that the application submitted by Mr Maliphant for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted with a warning as to his future conduct.

Note: These minutes are subject to confirmation at the next meeting.

**7. MR ROBERT DANIEL ISAAC - APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE**

The Committee was advised that following submission of the information required as part of the Authority's governance processes, the application had been withdrawn.

**UNANIMOUSLY RESOLVED that the withdrawal be noted.**

**8. MR STEVEN PETER CAREY - APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE**

The Committee considered an application from Mr Steven Peter Carey of 38 Mount Pleasant, Gowerton, Swansea for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Senior Licensing Officer informed the Committee of the issues that had arisen in respect of the application.

The Committee interviewed Mr Carey with regard to his application and issues raised by both the Senior Licencing Officer and the Dyfed Powys Police representative.

The Senior Licensing Officer recommended that Mr Carey's application be refused.

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 the application submitted by Mr Carey for the grant of a Hackney Carriage/private Hire Dual Drivers Licence be refused.**

REASONS

Having considered all the evidence presented and having regard to relevant guidance, the Committee was satisfied that the applicant was not a fit and proper person to hold a licence.

**9. MR GEORGE JULIAN PETER CHEESEMAN - HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE**

The Committee was advised that following submission of the information required as part of the Authority's governance processes, the item had been withdrawn.

**UNANIMOUSLY RESOLVED that the withdrawal be noted.**

Note: These minutes are subject to confirmation at the next meeting.

**10. MR NATHAN EDWARD JAMES COURTNEY - HACKNEY  
CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE**

The Committee was advised that following submission of the information required as part of the Authority's governance processes, the item had been withdrawn.

**UNANIMOUSLY RESOLVED that the withdrawal be noted.**

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

Note: These minutes are subject to confirmation at the next meeting.

# 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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