

Subject to approval as an accurate record at the next meeting of the Licensing Committee

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LICENSING COMMITTEE

Minutes of the meeting held at the County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale on Tuesday, 4 March 2014 at 5:00pm.

PRESENT

County Borough Councillor A. S. Fox – in the Chair

County Borough Councillors

(Mrs) T. A. Bates	B. Morgan	L. Walker
S. A. Bradwick	S. Powderhill	E. Webster
(Mrs) C. Leyshon	J. Rosser	T. Williams
I. Pearce	G. Smith	

Officers in Attendance:

Mr P J Mee - Service Director, Public Health & Protection
Mrs R. Smith –Solicitor
Mrs M Williams – Licensing Manager
Mr L Morgan – Assistant Licensing Manager

73. APOLOGIES FOR ABSENCE

An apology of absence was received from County Borough Councillors R. B. McDonald and (Mrs) S. J. Jones

74. DECLARATIONS OF INTEREST

The following declaration of personal interest was received from County Borough Councillor L. Walker in relation to Agenda Item 6 (2), Consideration of Application for Licensing and/or Registration –“Mr LTJD has been known to me for a number of years. I have used his taxi Jerviic on numerous occasions. I will leave the meeting for this item“

75. HUMAN RIGHTS ACT 1998 AND CRIME AND DISORDER ACT

RESOLVED – to note that when Members determine the licensing and registration matters before them, they have a duty not to act in a manner that is incompatible with the convention on Human Rights and the Crime and Disorder Act.

76. MINUTES

RESOLVED to approve as an accurate record the minutes of the meeting of the Licensing Committee held on the 21st January 2014.

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REPORTS OF THE SERVICE DIRECTOR PUBLIC HEALTH AND PROTECTION

77. LICENCES AND REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS

In his report, the Service Director, Public Health and Protection presented Members with details of licences and registrations issued during the period 6th January 2014 to the 16th February 2014. Following consideration of the report it was **RESOLVED** to note the content.

78. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED – that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act, 1972 (as amended) for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in paragraph 12 of Schedule 12A of the Act, namely, information relating to a particular individual. Transparency in the conduct of Local Authority business is desirable; however personal data relating to the conduct and capabilities of individuals will be discussed and considered. Consequently, it is considered the public interest in maintaining the exemption outweighs the public interest in disclosing information.

79. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER LICENSES

In his report, the Service Director, Public Health and Protection set out details of the following applications in respect of renewal/review of Hackney Carriage/Private Hire Vehicle Licenses which required consideration by Members.

- 1) In accordance with adopted procedures the Committee received Mr LTJD of Pontypridd whose application for the renewal of a Joint Hackney Carriage/Private Hire Vehicle driver licence was brought before Members for consideration. The Licensee confirmed the details within the report were accurate and he explained the circumstances surrounding his convictions.

Following consideration of the report and the oral representations it was **RESOLVED** to grant the application subject to the usual standard terms and conditions and subject to a stern warning letter being placed on record.

(**Note:** Prior to the applicant leaving the meeting, the Chairman emphasised the need to have due regard to the warning issued by the

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Committee as failure to do so may affect determination of future applications)

- 2) In accordance with adopted procedures the Committee received Mr MJBD of Porth, who was before Members so that a review of his Joint Hackney Carriage/Private Hire Vehicle Driver Licence could be undertaken following information received from South Wales Police Notifiable Occupations Unit.

The Licensee confirmed that the details within the report were correct and he explained the circumstances surrounding his convictions with particular regard to the most recent two convictions and in addition information was provided by a South Wales Police Officer.

Following lengthy consideration of the matter members of the Licensing Committee **RESOLVED** to revoke the Hackney Carriage/Private Hire Vehicle licence of Mr MJBD of Porth as they were of the opinion that he did not meet the fit and proper criteria required to hold a Hackney Carriage/Private Hire Vehicle Drivers Licence and in view of the nature of the offences/allegations presented before Committee with particular regard to the conditions set out in points 6.5 and 6.6 of the Hackney Carriage (Taxi) & Private Hire Vehicle (PHV) Licensing Policy of Guidance on Relevance of Convictions

(**Note:** Having previously declared a personal interest (to which Minute No. 74 refers) County Borough Councillor L. Walker left the meeting for the duration of the item)

80. ENFORCEMENT SUMMARY

The Service Director Public Health and Protection provided Members with a summary of recent enforcement activity in respect of Taxi and Miscellaneous Licences for the period 6th January 2014 to 16th February 2014.

An update was provided in respect of complaint led enforcement activity for the period with further information to be provided to members at a subsequent meeting in relation to alleged illegal dog breeding in the Pontypridd area. The outcome of a prosecution involving a recent matter which had been determined by Members was noted.

The Service Director Public Health & Protection briefly informed Members that a number of Scrap Metal Dealer applications have been received which will be considered at a subsequent meeting of the Licensing Committee.

Following a number of random visits and subsequent vehicle and driver checks Committee was pleased to hear that the majority of vehicles were found to be in a satisfactory condition and continued trading permitted.

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Further updates were provided in relation to issues at the Pontypridd Taxi Rank and Members informed of the closure of the forecourt which has caused some difficulties. Further multi agency collaboration has ensured an alternative Taxi Rank has opened in Taff Street, Pontypridd which has alleviated many concerns amongst taxi drivers. Members were directed to a copy of the February 2014 edition of the Taxi Newsletter.

Members were informed of a Taxi fleet review which is currently underway. The results of the review will form part of a new vehicle policy and Members of the Committee will be given the opportunity to consider the report before it undergoes a consultation process with stakeholders. Further details were provided in respect of the process of current taxi fleet review.

The Service Director Public Health & Protection concluded his report by confirming that there are no prosecutions or appeals for the period and it was **RESOLVED** to note the content which had been provided for information only.

81. SUMMARY OF LICENCES ISSUED UNDER PROVISION OF DELEGATED AUTHORITY

In his report the Service Director, Public Health and Protection provided a summary of Licences and/or Registrations issued under provisions of Delegated Authority for the period 6th January 2014 to the 16th February 2014 and it was **RESOLVED** to note the report.

A S Fox
Chairman

The meeting closed at 6.30pm