

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, 9th June 2015 at 5:00pm.

PRESENT

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

County Borough Councillors

(Mrs) T. A. Bates	I. Pearce
S. A. Bradwick	B. Morgan
(Mrs) J. Cass	S. Powderhill
(Mrs) S. J. Jones	G. Smith
(Mrs) C. Leyshon	

Officers in Attendance:

Mr P J Mee - Service Director, Public Health & Protection

Mrs R. Smith –Solicitor

Mrs M. D. Williams – Licensing Manager

Mr L. Morgan – Assistant Licensing Manager

1. APOLOGIES FOR ABSENCE

An apology for absence was received from County Borough Councillors (Mrs) M. Tegg, E. Webster, L.Walker and T. Williams

2. DECLARATIONS OF INTEREST

There were no disclosures of personal interests in matters pertaining to the agenda.

3. 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.

4. MINUTES

RESOLVED to approve as an accurate record the minutes of the meeting of the Licensing Committee held on the 23rd April 2015.

5. WELCOME

The Chair welcomed County Borough Councillor (Mrs) J. Cass as newly appointed member of the Licensing Committee.

6. LETTER OF THANKS

The Service Director Public Health & Protection announced that Mr David Jones, Head of Community Protection, has recently taken voluntary early retirement/redundancy and left the Authority. His commitment and hard work were acknowledged by both officers and members of the Licensing Committee and it was agreed that a letter of thanks is sent to Mr Jones on behalf of the Licensing Committee. It was confirmed that the Licensing Manager would report directly to the Service Director, Public Health & Protection in the interim.

REPORTS OF THE SERVICE DIRECTOR PUBLIC HEALTH AND PROTECTION

7. 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 3rd March to the 23rd May 2015. Following consideration of the report it was **RESOLVED** to note the content.

8. 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

9. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATIONS AND REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER LICENSES

- 1) In his report, the Service Director, Public Health and Protection set out details of three applications, one for the grant of Hackney Carriage/Private Hire Vehicle License and two Reviews of 'Fit & Proper Person' criteria which were before Members for their consideration. The Service Director Public Health & Protection advised Members of the Committee that Mr CW of Aberdare was not in attendance to present

himself before committee and it was **RESOLVED** to defer determination of his application to the next appropriate meeting of the Licensing Committee, to afford him the opportunity to present himself to Members so that they can consider the circumstances surrounding the offences recorded against him and that his failure to attend on a second occasion will result in the matter being determined in his absence.

1. In accordance with adopted procedures the Committee received Mr CAN of Tonyrefail whose application for the grant of a Hackney Carriage/Private Hire Vehicle Driver Licence was brought before Members of the Committee for consideration. The applicant confirmed that the personal details and the details of the one offence within the report were correct. The applicant proceeded to outline the circumstances surrounding his offence. Mr CAN of Tonyrefail confirmed that should he be granted a Hackney Carriage /Private Hire Vehicle Driver Licence he would take up a position with J&O Travel.

Following consideration of the report members of the Committee **RESOLVED** to grant the application for a Hackney Carriage /Private Hire Vehicle Driver Licence for Mr CAN of Tonyrefail subject to the usual standard terms and conditions (which includes provision of a satisfactory medical report) with a warning letter attached.

(**Note:** Prior to the applicant leaving the meeting, the Chairman emphasised the need to have due regard to the warning issued by the Committee as failure to do so may affect determination of future applications)

2. The Service Director Public Health & Protection advised Members of the Committee that Mr JP of Gilfach Goch was not in attendance to present himself before committee and it was **RESOLVED** to defer determination of his application to the next appropriate meeting of the Licensing Committee, to afford him the opportunity to present himself to Members so that they can consider the circumstances surrounding the offences recorded against him and that his failure to attend on a second occasion will result in the matter being determined in his absence.
3. The Service Director, Public Health & Protection informed Members of the Committee that the Review of Fit and Proper Person criteria in relation to Mr CM of Tonyrefail had been withdrawn following notification from the Crown Court that the licensee had been acquitted and subsequently his licence has been reinstated. It was **RESOLVED** to note that the matter had been withdrawn.

10. ENFORCEMENT SUMMARY

The Service Director, Public Health & Protection presented his report outlining recent enforcement activity in respect of Taxi & Miscellaneous Licences for the period 30th March 2015 to the 24th May 2015.

The Service Director Public Health & Protection advised Committee that there were no prosecutions or appeals for the period and it was **RESOLVED** to note the content of the report.

11. 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 30th March 2015 to the 24th May 2015 and it was **RESOLVED** to note the report.

A. S. Fox
Chairman

The meeting closed at 5.30pm