

**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, 5<sup>th</sup> September 2017 at 5:00pm.

**PRESENT**

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

**County Borough Councillors**

S. A. Bradwick	E. Webster
A. Cox	D. Williams
L. Jones	T. Williams
W. Lewis	

**Officers in Attendance:**

Mr P J Mee - Service Director, Public Health & Protection  
Mr P. Nicholls –Head of Legal – Litigation, Planning & Environment,  
Community & Children’s Services  
Mr G. Black – Community Safety & Licensing Manager  
Mr L. Morgan – Assistant Licensing Manager  
Mrs L. Davies – Head of Environmental Health, Trading Standards &  
Community Safety

**23. APOLOGIES FOR ABSENCE**

An apology for absence was received from County Borough Councillors M. Diamond, S. Morgans and S. Powderhill.

**24. DECLARATIONS OF INTEREST**

**RESOLVED** – In accordance with the Code of Conduct, there were no declarations of personal interests pertaining to the agenda.

**25. 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.

**26. MINUTES**

**RESOLVED** to approve as an accurate record the minutes of the meeting of the Licensing Committee held on the 27<sup>th</sup> July 2017.

**27. 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 10<sup>th</sup> July 2017 to the 13<sup>th</sup> August 2017. Following consideration of the report it was **RESOLVED** to note the content.

## **28. 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

## **29. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – RENEWAL AND REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER LICENCES**

In his report the Service Director, Public Health & Protection set out the details of one application for the Renewal of a Hackney Carriage/Private Hire Vehicle Driver Licence, one application for the review of Hackney Carriage/Private Hire Vehicle Driver Licence and three applications for the grant of a Hackney Carriage/Private Hire Vehicle Driver Licence.

1. Prior to receiving Mr LDJE of Porth, the Chairman advised Committee that as the Applicant is due to attend court on the 5<sup>th</sup> October 2017 in respect of a separate matter Committee may wish to consider deferring determination of the application for the grant of a Hackney Carriage/Private Hire Vehicle Driver Licence until such time that the matter has been heard.

Committee **RESOLVED** to defer determination of the matter to the next appropriate meeting of the Licensing Committee, in order for Members to consider the application for the grant of a Hackney Carriage/Private Hire Vehicle Driver Licence.

2. In accordance with adopted procedures, Committee received Mr PJJ of Porth who was in attendance so that his application for the Grant of a Hackney carriage /Private Hire Vehicle Driver Licence could be considered.

Following consideration of the evidence before them Committee **RESOLVED** to grant the application subject to the usual standard terms and conditions; with a warning.

(**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)

3. In accordance with adopted procedures Committee received Mr AB of Cardiff who was in attendance so that his application for the Grant of Hackney Carriage/Private Hire Vehicle Driver Licence (Not for the renewal of a Hackney Carriage/Private Hire Vehicle Driver Licence as set out in the report).

Following consideration of the information before them, including supplementary information provided by the applicant in support of his application, Committee **RESOLVED** to refuse the application on the basis that Mr AB of Cardiff failed to satisfy the 'fit and proper' person criteria required in order to hold a Hackney Carriage/Private Hire Vehicle driver licence.

4. In accordance with adopted procedures Committee received Mr APJ of Trealaw whose application for the renewal of a Hackney Carriage/Private Hire Vehicle Driver Licence was before Committee for its consideration.

Following consideration of the evidence before them, Committee **RESOLVED** to grant the application subject to the usual standard terms and conditions; with a warning regarding future activity.

(**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)

5. The Service Director Public Health & Protection presented his report for the review of Hackney Carriage/Private Hire Vehicle Driver Licence for Mr TE of Gilfach Goch.

Following consideration of the report together with an opportunity to view CCTV footage, Committee **RESOLVED** to revoke the licence on the basis that Mr TE of Gilfach Goch has failed to satisfy 'fit and proper person' criteria required in order to hold a Hackney Carriage/Private Hire Vehicle Driver Licence.

### 30. **CONSIDERATION OF APPLICATIONS FOR DETERMINATION UNDER PROVISIONS OF SCRAP METAL DEALERS ACT 2013**

In his report, the Service Director, Public Health and Protection set out details of the following application for the Grant of Scrap Metal Dealer Licence under the provisions of Scrap Metal Dealers Act 2013.

1. In accordance with adopted procedures the Committee received Mr SL of Caerphilly whose application for a mobile operator licence required consideration by the Licensing Committee.

Following consideration of the report, the Committee **RESOLVED** to grant the application for a Mobile Operator Licence.

### **31. ENFORCEMENT SUMMARY**

The Service Director, Public Health & Protection presented his report outlining the most recent activity relating to enforcement activity, including any prosecution and appeals updates for the period 17<sup>th</sup> July 2017 to the 25<sup>th</sup> August 2017. Following consideration of the report it was **RESOLVED** to note the content which had been provided for information only.

### **32. SUMMARY OF LICENCES ISSUED UNDER PROVISION OF DELEGATED AUTHORITY**

In his report the Service Director, Public Health & Protection provided a summary of Licences and/or Registrations issued under provisions of Delegated Authority for the period 10<sup>th</sup> July 2017 to the 13<sup>th</sup> August 2017 and it was **RESOLVED** to note the report.

### **33. CHAIRMAN'S REMARKS**

The Chairman announced that this would be the last Licensing Committee that Mr Lee Morgan would attend in his role as Assistant Licensing Manager for Rhondda Cynon Taf before taking up post with Caerphilly County Borough Council.

On behalf of the Committee the Chair thanked Mr Morgan for his dedication and support to the members of the Licensing Committee and wished to place on record his personal thanks to Mr Morgan for his support to himself as Chair. Committee wished Mr Morgan the very best in his new post and for the future.

A. S. Fox  
Chairman

The meeting closed at 6.45pm