

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

SPECIAL LICENSING COMMITTEE

Minutes of the meeting held at the County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale on Tuesday, 11th December 2013 at 4:00pm.

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) S. Jones	L. Walker
(Mrs) C. Leyshon	E. Webster
R. B. McDonald	

Officers in Attendance:

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

59. APOLOGIES FOR ABSENCE

Apologies of absence were received from County Borough Councillors S. Powderhill, J. Rosser and T. Williams.

60. DECLARATIONS OF INTEREST

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

61. 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.

62. 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.

**63. HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE DRIVER LICENCE-
REVIEW OF FIT & PROPER PERSON CRITERIA**

The Service Director, Public Health and Protection presented his report to Members of the Committee, the purpose of which was to review the suitability of Mr NCW of Aberdare as a fit and proper person to hold a Joint Hackney Carriage/Private Hire Vehicle Licence.

In accordance with adopted procedures, the committee received Mr NCW of Aberdare who introduced the person in attendance with him as Mr Warren, the applicant's Legal Representative.

There followed a series of questions from the Services Director, Public Health & Protection to the applicant in relation to some of the allegations set out in the report and the events surrounding them. At this juncture in the proceedings the South Wales Police Officer present was called upon to make representations in relation to the allegations and behaviour of the applicant and to present to Members the views of South Wales Police in respect of the fit and proper person criteria to hold a Joint Hackney Carriage/Private Hire Vehicle Licence. Mr Warren, the Applicant's representative, also addressed Committee.

Members of the Committee were given the opportunity to question both the Applicant and his Legal Representative.

Following lengthy debate, consideration of the written and oral evidence presented before them Members of the Committee **RESOLVED** unanimously to revoke the Licence of Mr NCW of Aberdare as they did not consider him to be a fit & proper person to hold a Joint Hackney Carriage/Private Hire Vehicle Driver Licence. Members of the Committee took into consideration the available antecedent and complaint history of the licensee and specifically took into account the Summary of Concerns as set out in paragraph 1.9 of the report when reaching their decision to revoke.

A S Fox
Chairman

The meeting closed at 5.05pm