

**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, 15 April 2014 at 5:00pm.

**PRESENT**

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

**County Borough Councillors**

T. A. Bates	R. B. McDonald	S. Powderhill
S. A. Bradwick	K. Montague	G. Smith
(Mrs) S. Jones	I. Pearce	L. Walker
(Mrs) C. Leyshon	B. Morgan	E. Webster

**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

**82. APOLOGIES FOR ABSENCE**

An apology for absence was received from County Borough Councillors J. Rosser and T. Williams

**83. DECLARATIONS OF INTEREST**

A declaration of personal interest in matters pertaining to the agenda was made later in the meeting by County Borough Councillor S. A. Bradwick (Minute No. 92 refers)

**84. 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.

**85. MINUTES**

**RESOLVED** to approve as an accurate record the minutes of the meeting of the Licensing Committee held on the 3<sup>rd</sup> March 2014.

## **REPORTS OF THE SERVICE DIRECTOR PUBLIC HEALTH AND PROTECTION**

### **86. 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 16<sup>th</sup> February 2014 to the 4<sup>th</sup> April 2014. Following consideration of the report it was **RESOLVED** to note the content.

### **87. 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.

### **88. 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 the grant or renewal/review of Hackney Carriage/Private Hire Vehicle Licenses which required consideration by Members.

- (1) The Service Director Public Health & Protection informed members of the Committee that Mr SH of Cardiff was unable to attend the meeting due to a holiday and it was **RESOLVED** to defer determination of his application to the next appropriate meeting of the Licensing Committee to afford him the opportunity of presenting himself to Members so that they can consider the circumstances surrounding the commission of the offences recorded against him and that failure to attend on that occasion will result in the matter being determined in his absence.
- (2) Members were informed that Mr MJW of Aberdare was not yet in attendance.
- (3) Members were informed that Mr AT of Treorchy was not yet in attendance
- (4) The Service Director, Public Health & Protection informed Committee that Mr CW of Aberdare would not be in attendance until such time as an

outstanding allegation against him had been determined by the Court, therefore it was **RESOLVED** to defer determination of his application to a future meeting of the Licensing Committee

**89. CHANGE TO THE ORDER OF THE AGENDA**

The Committee agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

**90. ENFORCEMENT SUMMARY**

The Service Director Public Health & Protection presented his report in relation to recent enforcement activity in respect of Taxi and Miscellaneous Licences for the period.

An update was provided regarding Pontypridd Taxi Rank which has relocated. As a result of the relocation additional taxi marshals have been arranged and multi agency partners have collaborated to overcome the issue of private vehicles parking at the rank which has had an impact upon the parking issues within Pontypridd town. It was confirmed that as the collaboration work continues further updates will be provided to Members.

Members were informed of a Cultural Awareness session which had been arranged for taxi drivers in Pontypridd in order to tackle the issue of race/hate crime and of the opportunity which arose following the session for drivers to engage with Licensing Officers to voice their concerns. Officers also visited Aberdare town centre but there were no issues to report in respect of vehicles and drivers.

The Service Director confirmed there were no appeals or prosecutions for the period and the Licensing Manager updated members of the committee in respect of the appeal of a previous Licensee which had subsequently been dismissed by the magistrates.

There followed a discussion between Members and Officers in respect of the issues at Pontypridd Taxi Rank and it was **RESOLVED** to note the content of the report which is provided for information only.

**91. 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 17<sup>th</sup> February 2014 to the 23<sup>rd</sup> March 2014 and it was **RESOLVED** to note the report.

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

The Service Director Public Health & Protection announced that Mr MJW of Aberdare was now in attendance to present his application for the renewal of a Hackney Carriage/Private Hire Vehicle Driver Licence.

**(Note:** At this juncture in the proceedings County Borough Councillor S. A. Bradwick declared a personal and prejudicial interest in respect of this application stating ‘The gentleman before Committee today, as of above, I have known for many years along with all his family. I use his taxi firm on a regular basis – this is a prejudicial interest and I will leave the meeting for the duration of this item’.

- 1) In accordance with adopted procedures the Committee received Mr MJW of Aberdare who confirmed the details within the report were accurate and he explained the circumstances surrounding his convictions. (At this point in the proceedings the Service Director Public Health & Protection announced a correction to the ‘Complaint History’ within the report which should read ‘There are no recorded complaints in respect of Mr MJW’). Following consideration of the written and oral evidence and information provided by a South Wales Police Officer members of the Licensing Committee **RESOLVED** to grant the application subject to the 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 Committee as failure to do so may affect determination of future applications)

- 2) It was announced that Mr AT of Treorchy was still not in attendance and so 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.

A S Fox  
Chairman

The meeting closed at 5.30pm