

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, 29 July 2014 at 5:00pm.

PRESENT

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

County Borough Councillors

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

Officers in Attendance:

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

Mrs R. Smith –Solicitor

Mrs M Williams – Licensing Manager

12. APOLOGIES FOR ABSENCE

An apology for absence was received from County Borough Councillors J. Rosser and E. Webster.

13. DECLARATIONS OF INTEREST

The following declaration of personal Interest was received from County Borough Councillor R. B. McDonald in relation to Agenda Item 7, Applications for Licensing and /or Registration-‘Applicant is brother of my daughter- in- law’.

14. 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.

15. MINUTES

RESOLVED to approve as an accurate record the minutes of the meeting of the Licensing Committee held on the 17th June 2014.

REPORTS OF THE SERVICE DIRECTOR PUBLIC HEALTH AND PROTECTION

16. 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 2nd June 2014 to 20th July 2014 and following consideration of the report it was **RESOLVED** to note the content.

17. CONSIDERATION OF PROPOSALS FOR REVISED TECHNICAL STANDARDS FOR HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES

The Service Director Public Health & Protection presented his report in relation to the outcome of a public consultation in respect of the changes proposed for Hackney Carriage & Private Hire Vehicles; and his response to the issues raised.

Members were provided with the background to the public consultation exercise held in the format of a Roadshow which was widely advertised and well attended. It was reported that the key concerns which had arisen as a result of the consultation exercise were considered and as a result several amendments made to the proposals and notification circulated to all the Licensees in the form of the Taxi Newsletter which was circulated to Members of the Committee. The newsletter set out the changes to the vehicle policy proposals arising from the consultation process and advised of the next steps.

Copies of late representations in response to the consultation process received from Mr A K Jones and Mr G Roberts were circulated at the meeting and their content reported orally for the benefit of the Committee Members.

The Service Director Public Health & Protection concluded his report by highlighting the importance and appropriateness of the revised vehicle specification which was set out in the appendix attached to the report.

Following consideration of the report and the additional information circulated at the meeting Members of the Committee **RESOLVED** to:-

- I. Note the views of the Trade received in response to the consultation process
- II. Acknowledge the amendments to the proposals that have been prepared by the Director of Public Health & Protection
- III. Note the proposal to defer the implementation of a revised charging structure for vehicle testing, subject to a whole scale of Hackney Carriage & Private Hire (Taxi) fees

- IV. Commend the remaining revised proposals, incorporated into the draft policy document to the Executive for adoption and implementation as soon as possible

(**Note:** County Borough Councillor S. A. Bradwick requested it noted that he abstained from voting in respect of recommendation number (iv)).

At this point the Chair formally thanked the Licensing team for their hard work throughout the consultation process and wished for the message to be relayed to the whole team.

18. 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.

19. 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) In accordance with adopted procedures the Committee received Mr CP of Tonyrefail whose application for the grant of a Hackney Carriage/Private Hire Vehicle Driver Licence was brought before Members. The applicant confirmed the details of the offences recorded against him were correct and he explained the circumstances surrounding his convictions. Following consideration of the oral and written evidence and consultation with the South Wales Police Officer present regarding the accuracy of the records before Committee, it was **RESOLVED** to grant the application for a Hackney Carriage/Private Hire Vehicle Driver Licence 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 Committee as failure to do so may affect determination of future applications)

- 2) In accordance with adopted procedures the Committee received Mr PSJ of Porth who was in attendance 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.

Following confirmation from the applicant that the details of the offences recorded against him were correct the Licensee gave a detailed account of the circumstances surrounding his most recent conviction and in addition, information was provided by a South Wales Police Officer who was present at the meeting. Following consideration of all the information before them together with the oral representations Committee **RESOLVED** to revoke the Hackney Carriage/Private Hire Vehicle licence of Mr PSJ 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 point 6.6 of the Hackney Carriage (Taxi) & Private Hire Vehicle (PHV) Licensing Policy of Guidance on Relevance of Convictions.

- 3) 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 due to a family 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 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.

20. ENFORCEMENT SUMMARY

The Service Director, Public Health & Protection presented his report outlining recent enforcement activity in respect of Taxi & Miscellaneous Licences.

An update was provided in respect of Complaint Led Enforcement issues for the period and the Pro-active Vehicle & Driver checks which have been undertaken recently involving the Integrated Transport Unit and the Authority's Benefit Fraud Team. The outcome of two exercises has been the decision for closer working between the two teams to overcome any future inappropriate claims. It was reported that further information would be provided at a future meeting. The results of the 107 vehicle and driver checks was summarised for the benefit of committee.

Details were outlined in respect of the ongoing issues at the Pontypridd Taxi Rank and information relayed to the committee in respect of illegal dog breeding which has subsequently been investigated.

It was confirmed that there were no prosecutions or appeals for the stated period although an update was provided in respect of a previous prosecution whereby costs were awarded to the authority.

21. **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 1st June 2014 to the 29th July 2014 and it was **RESOLVED** to note the report.

A S Fox
Chairman

The meeting closed at 6.05pm

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