

Mae'r cofnodion hyn yn amodol ar gymeradwyaeth yng nghyfarfod priodol nesaf y Pwyllgor.

These Minutes are subject to approval at the next appropriate meeting of the Committee,

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, 5th December 2017 at 5:00pm.

PRESENT

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

County Borough Councillors

L. Jones	S. Powderhill
W. Lewis	E. Webster
S. Morgans	D. Williams

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 R. Waters – Service Director, Highways and Streetcare

43. CHAIRMAN'S REMARKS

The Chair welcomed to Committee PC Whittle, Licensing Officer and Ms Rhian Hope, Food & Health & Safety Manager to the Committee.

44. APOLOGIES FOR ABSENCE

An apology for absence was received from County Borough Councillors S. A. Bradwick, A. Cox, P. Howe and T. Williams.

45. DECLARATIONS OF INTEREST

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

46. 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.

47. MINUTES

RESOLVED to approve as an accurate record the minutes of the meeting of the Licensing Committee held on the 10th October 2017.

48. 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 25th September 2017 to 19th November 2017. Following consideration of the report it was **RESOLVED** to note the content.

49. 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

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

The Director Public Health, Protection and Community Services advised Committee set out the details of four applications for the Grant of a Hackney Carriage/Private Hire Vehicle Driver Licence and one application for the review of Hackney Carriage/Private Hire Vehicle Driver Licence.

(With the permission of the Chair it was agreed to consider the agenda out of sequence).

1. In accordance with adopted procedures Members received Mr SA of Cardiff whose application for the Grant of a Hackney Carriage/Private Hire Vehicle Driver Licence was before Committee.

The person in attendance with the Applicant introduced herself as the applicant's daughter.

Following consideration of the report it was **RESOLVED** to refuse the application as Committee considered that the Applicant did not meet the fit and proper person criteria required to hold a Hackney Carriage/Private Hire Vehicle Drivers Licence.

2. In accordance with adopted procedures, Committee received Mr MA of Cardiff so that his application for the grant of a Hackney Carriage/Private Hire Vehicle Driver Licence could be considered. Mr MA of Cardiff was accompanied by his representative.

Following consideration of the report together with the views of South Wales Police it was **RESOLVED** to grant the application of Mr MA of Cardiff subject to the usual standard terms and conditions; with a warning regarding future conduct.

(**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 MA of Cardiff, so that his application for the grant of Hackney Carriage/Private Hire Vehicle Driver Licence could be considered.

Following consideration of the report together with supplementary information supplied by South Wales Police it was **RESOLVED** to refuse the application of Mr MA of Cardiff as it was considered that the Applicant did not meet the fit and proper person criteria required to hold a Hackney Carriage/Private Hire Vehicle Driver Licence

4. The Committee received Mr AA of Cardiff who was in attendance with his cousin and whose application for the grant of a Hackney Carriage/Private Hire Vehicle Driver Licence was before the Committee for its consideration.

South Wales Police provided additional information in respect of the offences associated with the applicant and following consideration of the information before them Committee **RESOLVED** to refuse the application of Mr AA of Cardiff as it considered that he did not fit the fit and proper person criteria to hold a Hackney Carriage/Private Hire Vehicle Driver Licence.

5. Committee was advised that Mr MMA of Cardiff was not in attendance at the meeting therefore Members were asked to consider whether they wished to determine the matter in his absence. In view of the serious issues raised within the report Committee **RESOLVED** that the matter would be determined in the Licensee's absence.

Committee was given the opportunity to view CCTV footage and the Director, Public Health, Protection and Community Services read aloud from a letter submitted by the Licensee in support of his review.

Following consideration of the report it was **RESOLVED** to revoke the licence with immediate effect, on the basis that Mr MMA has failed to

satisfy 'fit & proper person criteria required in order to hold a Hackney Carriage/Private Hire Vehicle'.

51. 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 29th September 2017 to the 23rd November 2017. Following consideration of the report it was **RESOLVED** to note the content which had been provided for information only.

52. 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 25th September 2017 to the 19th November 2017 and it was **RESOLVED** to note the report.

53. REPORT OF THE SERVICE DIRECTOR HIGHWAYS & STREETCARE SERVICES CONTAINING EXEMPT INFORMATION

In his report the Service Director Highways & Streetcare Services set out the details of the following application for clearance for use as Transport Contract personnel on schools, community services and associated contracts for transport.

- 1) In accordance with adopted procedures, Committee received Mr CDS of Bridgend so that his appeal for use as Contract Transport Personnel could be considered.

Following consideration of the report and evidence before them, it was **RESOLVED** to grant the appeal and clear Mr CDS of Bridgend for use as Contract Transport Personnel with a warning concerning 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).

A.S.FOX
Chairman

The meeting closed at 7.15pm