



RHONDDA CYNON TAF COUNCIL LICENSING COMMITTEE

Minutes of the meeting of the Licensing Committee held on Tuesday, 12 March 2019 at 5.00 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

County Borough Councillors - Licensing Committee Members in attendance:-

Councillor A Fox (Chair)

Councillor D Williams	Councillor S Powderhill
Councillor E Webster	Councillor T Williams
Councillor W Lewis	Councillor S Morgans
Councillor A Cox	Councillor L Jones
Councillor P Howe	

Officers in attendance:-

Mr P Nicholls, Service Director, Legal Services
Ms L Davies, Head of Public Protection
Mr G Black, Community Safety and Licensing Manager
Mr A Morgan, Licensing Enforcement Officer
Mr M Owen, Assistant Licensing Manager
Mr N Evans, Licensing Enforcement Officer
Mr C Nelson, Transportation Manager

49 Apology for Absence

An apology for absence was received from County Borough Councillor S. Bradwick.

50 Declaration of Interest

In accordance with the Council's Code of Conduct, the following declarations of personal interest were made in relation to Item 6 – Applications for Licensing and/or Registration:

- County Borough Councillor S. Morgans "I am a family friend of the employer of one of the applicants"
- County Borough Councillor P. Howe "I know the employer of one of the applicants"

51 Human Rights Act and Crime and Disorder Act

It was **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.

52 Minutes

It was **RESOLVED** to approve the minutes of the 22nd January, 2019 as an accurate reflection of the meeting.

53 To consider the Licences & Registrations issued under the provision of Delegated Powers for the period: 07.01.2019 - 17.02.2019

The Head of Public Protection presented Members with details of licences and registrations issued during the period 7th January, 2019 and 17th February, 2019 and it was **RESOLVED** to note the content of the report.

54 To consider passing the following Resolution:

It was **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 13 of Part 4 of Schedule 12A of the Act.

55 To consider the following Applications for Licensing and/or Registration:

- (1) The Head of Public Protection set out details of the following application for the review of a Hackney Carriage/Private Hire Vehicle Driver Licence.

In accordance with adopted procedures, Members received Mr ATF of Aberdare whose application for review of a Hackney Carriage/Private Hire Vehicle Driver Licence was before Committee.

Following consideration of the report and the evidence before them, the Committee **RESOLVED** to allow the licence to continue, with a warning in respect of future activity.

(**Note:** Prior to the Applicant leaving, the Chairman emphasised the need to have due regard to the warning issued by the Committee as failure to do so, may affect the determination of future applications.)

(**Note:** At this point in proceedings, County Borough Councillor S. Powderhill left the meeting.)

- (2) The Head of Public Protection set out details of the following application for the review of a Hackney Carriage/Private Hire Vehicle Driver Licence.

In accordance with adopted procedures, Members received Mr ARK of Cardiff whose application for review of a Hackney Carriage/Private Hire Vehicle Driver Licence was before Committee.

Following consideration of the report and the evidence before them, the Committee **RESOLVED** to allow the licence to continue, with a warning in respect of future activity.

(**Note:** Prior to the Applicant leaving, the Chairman emphasised the need to have due regard to the warning issued by the Committee as failure to do so, may affect the determination of future applications.)

- (3) The Head of Public Protection set out details of the following application for the review of a Hackney Carriage/Private Hire Vehicle Driver Licence.

In accordance with adopted procedures, Members received Mr SRA of Cardiff whose application for review of a Hackney Carriage/Private Hire Vehicle Driver Licence was before Committee.

Following consideration of the report and the evidence before them, the Committee **RESOLVED** to suspend the Joint Hackney Carriage/Private Hire Vehicle Licence as a punitive measure for a period of 3 months with immediate effect and that it was a requirement for the Licensee to obtain the BTEC Level 2 Certificate for Transporting Passengers for Hire & Reward within a period of 2 months and prior to reinstatement of the licence.

- (4) The Head of Public Protection set out details of the following application for the review of a Hackney Carriage/Private Hire Vehicle Driver Licence.

In accordance with adopted procedures, Members received Miss CAC of Ynyshir whose application for review of a Hackney Carriage/Private Hire Vehicle Driver Licence was before Committee.

Following consideration of the report and the evidence before them, the Committee **RESOLVED** to suspend the Joint Hackney Carriage/Private Hire Vehicle Licence as a punitive measure for a period of 1 month with immediate effect.

- (5) The Head of Public Protection set out details of the following application for the review of a Hackney Carriage/Private Hire Vehicle Driver Licence.

In accordance with adopted procedures, Members received Mr LTJD of Rhydyfelin whose application for review of a Hackney Carriage/Private Hire Vehicle Driver Licence was before Committee.

Following consideration of the report and the evidence before them, the Committee **RESOLVED** to allow the licence to continue; with a warning in respect of future activity and that it was a requirement for the Licensee to obtain the BTEC Level 2 Certificate for Transporting Passengers for Hire & Reward within a period of 2 months.

(Note: Prior to the Applicant leaving, the Chairman emphasised the need to have due regard to the warning issued by the Committee as failure to do so, may affect the determination of future applications.)

56 Enforcement Summary (Including Appeal/Prosecution Data) for the period 12.01.2019 - 01.03.2019:

The Head of Public Protection provided Members with the report outlining the most recent enforcement activity, including any prosecution and appeals updates for the period 12th January, 2019 and 1st March, 2019.

Referring to the Welsh Government's active consultation on proposals to legislate for reforming the planning and delivery of local bus services and licensing of taxis and private hire vehicles, the Head of Public Protection advised the Committee that a draft response had been prepared to reflect the views

expressed by Licensing Committee at the meeting held on the 22nd January 2019 any further comments must be provided to the Licensing department by Friday 15th March 2019, in order for the final RCT response to be submitted before the deadline.

57 Summary of Licences issued under provision of Delegated Authority for the period 07.01.19 - 17.02.19:

The Head of Public Protection provided Members with the report outlining the most recent enforcement activity, including any prosecution and appeals updates for the period 7th January, 2019 and 17th February, 2019.

Following consideration of the report, the Committee **RESOLVED** to note its content.

This meeting closed at 7.10 pm

**CLLR A FOX
CHAIR.**