

---

## GENERAL LICENSING SUB-COMMITTEE, 18.10.12

---

**Present:** Councillor W. Tudor Owen (Chairman)  
Councillors Angela Russell, Elfed Williams

**Also Present:** Siôn Huws (Compliance and Language Manager), Gwenan Williams (Licensing Manager) and Gwyn Parry Williams (Members Support and Scrutiny Officer).

**Others present:** Mr A (applicant) and his representative.

### 1. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any member present.

### 2. EXCLUSION OF PRESS AND PUBLIC

**RESOLVED** to exclude the press and public from the meeting during the discussion on the following item because of the likely disclosure of exempt information as defined in paragraphs 12 and 13, Part 4, Schedule 12 A of the Local Government Act 1972. These paragraphs apply because the individual in question is entitled to privacy and there is no overriding public interest that requires the disclosure of personal information relating to the individual, nor his identity. Consequently, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### 3. APPLICATION FOR HACKNEY/PRIVATE HIRE DRIVER'S LICENCE

The Licensing Manager submitted the written report on the application received from Mr A for a hackney/private hire driver's licence. She explained that a statement of convictions referred to relevant offences and, in such cases, officers did not have the right to consider the application. Therefore, this case was submitted for the sub-committee's consideration. The sub-committee considered a similar application by the applicant in February 2012 when it was resolved to refuse a licence as the relevant convictions had occurred too recently. In response to the decision, the applicant noted that he would make an application to the Criminal Records Bureau to review his criminal record as it was incorrect. An amended record by the Criminal Records Bureau had now been received, and the application submitted was based on that record, which was a true reflection of the applicant's situation.

Copies of the Criminal Records Bureau's amended report were distributed to the members.

In considering the application, the following procedure was followed –

1. Members of the sub-committee were given an opportunity to ask questions of the Council's representative.
2. The applicant and / or his representative were invited to ask questions of the Council's representative.
3. The applicant and / or his representative were invited to expand on the application.

4. Members of the sub-committee were given the opportunity to ask questions of the applicant and / or his representative.
5. The Council's representative was invited to ask questions of the applicant and / or his representative.
6. The Council's representative and the applicant and / or his representative were given the opportunity to summarise their case.

The applicant noted that he had previously been a lorry driver, but had received surgery on his back in 2011 and as a result had failed to undertake heavy work such as lorry driving or agricultural work thereafter. Obtaining a hackney/private hire driver's licence would be a way for him to earn a living. He acknowledged that he had convictions in the past and asked the sub-committee to consider giving him an opportunity to prove himself. He was also confident that he could deal with difficult customers without getting agitated.

The relevant parties left the meeting whilst the Sub-committee members discussed the application.

The Sub-committee took into account the Council's guidelines on convictions which provide as follows –

- *“A firm line will be taken with applicants with convictions for grievous bodily harm, wounding, assault or any other type of offence of a violent nature.*
- *An applicant must be free of conviction for at least three years before an application is considered.*
- *In all cases, if a licence is granted, a strict warning will be given as to the standards expected of licensed drivers.”*

The last offence disclosed had happened more than three years ago and therefore the application was one that could be considered. Consideration was given to the fact that six years had elapsed since the offence and that there was no evidence the applicant had been in any trouble since then. The Sub-committee felt that the applicant had acknowledged the seriousness of the offences and had accepted responsibility for them and showed remorse. Consequently, after careful consideration of the evidence and for the above reasons, the Sub-committee decided that the applicant was a proper person to hold a driver's licence, and the application was approved. However, it was agreed to draw the attention of the applicant to the high standard of conduct expected from him as a hackney/private hire driver and for him to accept it as a strict warning regarding his behaviour in future.

**RESOLVED to approve Mr A's application for a hackney/private hire driver's licence.**

The Compliance and Language Manager reported that he would aim to send a letter within five working days, informing the applicant of the Sub-committee's decision, and informing them of the right to appeal against the decision within 21 days of receiving that letter.

The meeting commenced at 2.00pm and concluded at 2.30pm.