
GENERAL LICENSING SUB-COMMITTEE, 28.10.13

Present: Councillor W. Tudor Owen
Councillors Angela Russell, Annwen Hughes

Also Present: Geraint Brython Edwards (Solicitor), Gwenan Williams (Licensing Manager) and Lowri Haf Evans (Member Support and Scrutiny Officer).

1. DECLARATION OF PERSONAL INTEREST

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

2. EXCLUSION OF PRESS AND PUBLIC

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

3. AN APPLICATION FROM MR. A FOR A 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. It was explained that a statement of convictions referred to relevant crimes 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.

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 expressed that he regretted offending and that he intended to start his own business to support his young family.

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

The Sub-committee took into account the Council's guidelines on convictions which stated 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 convictions 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 Sub-committee felt that the applicant had acknowledged the seriousness of the offence and that he had shown remorse. It was highlighted that some of the convictions were within the period of 3 – 5 years but that he was issued with a warning not a conviction regarding the offence in 2010. Having considered the evidence in detail, the Sub-committee decided that the applicant was a suitable person to be granted a driving licence and the application was approved. However, it was agreed to draw the attention of the applicant to the standard of conduct expected from him as a 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 Solicitor reported that he would aim to send out a letter within five working days notifying the applicant of the Sub-committee's resolution.

4. AN APPLICATION FROM MR. B FOR A HACKNEY/PRIVATE HIRE DRIVER'S LICENCE

The Licensing Manager submitted the written report on the application received from Mr. B for a hackney/private hire driver's licence. It was explained that a statement of convictions referred to relevant crimes 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.

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 expressed that she regretted offending. She noted that she had retired from a responsible post and that she had taken the blame on behalf of a member of her family. Her intention is to support her son with this taxi company.

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

The Sub-committee took into account the Council's guidelines on convictions which stated 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 convictions 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 Sub-committee felt that the applicant had acknowledged the seriousness of the offence and that he had shown remorse. It was highlighted that some of the convictions were within the period of 3 – 5 years. It was commented that the above were guidelines and not statements to be enforced. After detailed consideration of the evidence, the Sub-committee decided that the applicant was a suitable person to be granted a licence and the application was approved. However, it was agreed to draw the attention of the applicant to the standard of conduct expected from her as a driver and for him to accept it as a strict warning regarding his behaviour in future.

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

The Solicitor reported that he would aim to send out a letter within five working days notifying the applicant of the Sub-committee's resolution.

The meeting commenced at 10.00am and concluded at 11.00am