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## GENERAL LICENSING SUB COMMITTEE 7/03/16

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**Present:** Councillor Tudor Owen (Chair), Councillors Annwen Hughes and Angela Russell

**Officers:** Geraint B. Edwards (Solicitor), Sheryl Le Bon (Licensing Manager) and Lowri Haf Evans (Member Support and Scrutiny Officer).

### 1. APOLOGIES

None to note

### 2. DECLARATION OF PERSONAL INTEREST

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

### 3. URGENT ITEMS

None to note

### 4. 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 12 A of the Local Government Act 1972. These paragraphs are relevant because the individuals in question were entitled to privacy and there was no public interest that required 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.

### 5. APPLICATION FOR A HACKNEY/PRIVATE HIRE LICENCE

The Chairman, Councillor W. Tudor Owen, welcomed everyone to the meeting. The panel and the officers were introduced to everyone present.

- a) The Licensing Manager presented the written report on the application received from Mr A for a new hackney/private hire driver's licence. It was noted that the hearing was a follow-up to a decision made on 12.11.15 where the hearing was postponed until any prosecutions for charges made against the applicant had come to an end.
- b) It was reiterated that a statement of convictions had been submitted, and due to the fact that crimes which remained relevant to the licensing field had been included in the statement, the Committee was requested to consider the application in accordance with the DBS record, and in accordance with the

guidance on relevant crimes and convictions. It was added that no additional convictions had been noted since the submission of the original application and that this information had been submitted voluntarily.

- c) The applicant was invited to expand on the application. It was acknowledged that the disclosed offences were accurate but were now historical.
- d) The owner of a local Taxi Company supported Mr A's application and he confirmed that he had known the applicant for some years. He noted that the applicant was a reliable and honest person and that a job was available for Mr A should the licence be approved.
  
- ch) The applicant and the owner of the Taxi Company withdrew from the room while the Sub-committee members discussed the application.
  
- e) In making its decision, the Sub-committee had considered the following factors along with the requirements of 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire.'
  1. That the applicant had previous convictions.
  2. That the Sub-committee had considered under the Council's policy, that at least three years should pass before issuing a licence where relevant convictions existed. It was noted that 18 years had passed since the applicant's last conviction, and therefore the Sub-committee was satisfied that the convictions did count against him.
  3. It was considered that the applicant had experience in the field.
  4. The Sub-committee had not considered the court case as it had been the crown prosecution service's decision not to take criminal proceedings against the applicant. In addition, an allegation of driving a hackney vehicle without a hackney driver's licence was disregarded due to the Council's decision to withdraw the prosecution - the applicant was found not guilty by the court as a result.

**RESOLVED that the applicant is a suitable and appropriate person to be granted a hackney/private hire driver's licence and Mr A's application for a hackney/private hire driver's licence was approved.**

The meeting commenced at 12.15 pm and concluded at 1.00 pm

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**CHAIRMAN**