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## GENERAL LICENSING SUB-COMMITTEE, 16.09.13

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

**Also Present:** Siôn Huws (Compliance and Language Manager), 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. 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.

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. A reference letter from Cllr Liz Saville was submitted, expressing support to the applicant's licence application.

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 provided 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 offence disclosed had happened more than three years ago and therefore, according to the guidelines, the application was one that could be considered. The Sub-committee felt that the applicant had acknowledged the seriousness of the offence and that he had shown remorse. Consequently, after careful consideration of the evidence and for the above reasons, the Sub-committee decided that the applicant was a suitable 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 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 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 him of the right to appeal against the decision within 21 days of receiving that letter.

#### **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. 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.

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. It was noted that the applicant had attended a domestic abuse course. A reference letter from the applicant's former employer was submitted, in support of his application. It was highlighted that the applicant had experience and a background of working in the field of public transport.

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 provided 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 offence disclosed had happened more than three years ago and therefore, according to the guidelines, the application was one that could be considered. The Sub-committee felt that the applicant had acknowledged the seriousness of the offence and that he had shown remorse. Consequently, after careful consideration of the evidence and for the above reasons, the Sub-committee decided that the applicant was a suitable 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 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 B's application for a hackney/private hire driver's licence. Mr B was requested to present a letter from his probation officer or a certificate confirming that he had attended the domestic abuse course.**

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 him of the right to appeal against the decision within 21 days of receiving that letter.

The meeting commenced at 2.00pm and concluded at 3.00pm.