
CENTRAL LICENSING COMMITTEE, 26.04.10

Present: Councillor W Tudor Owen (Chairman)

Councillors: Evie Morgan Jones, J R Jones, Eryl Jones-Williams, Dewi Llewelyn, Ieuan Roberts, W Gareth Roberts and Gwilym Williams.

Also present: Amlyn ab Iorwerth (Licensing Manager), Alwyn Thomas and Robert Taylor (Licensing Enforcement Officers), Sion Huws (Propriety Officer) and Eleri Parry (Senior Committee Officer).

Apologies: Councillors Louise Hughes and Peter Read

1. DECLARATION OF PERSONAL INTEREST

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

2. MINUTES

The Chairman signed the minutes of the previous meeting of this committee held on 23 November, 2009 as a true record.

Arising

Item 5 - Minutes of the Licensing Sub-committee 21 October 2009

- (i) The local member noted that the appeal hearing against the decision of the sub-committee to revoke the Premises Licence of Bangor Blues Sports Bar had been delayed further. He noted that the premises continued to be open and that he was very dissatisfied with the situation. He explained that he was receiving many complaints regarding the issue, and he asked for the sub-committee's support to send a letter of complaint regarding the situation.
- (ii) The Senior Portfolio Leader reported that he shared the concerns of the local member. He noted that he had written to the Minister for Justice to express his dissatisfaction regarding the delay in appeal hearings, and to express concern regarding arrangements in general. He had not yet received response from the Minister.

He explained that he was very dissatisfied that the premises remained open, and that anti-social behaviour and incidents of crime and disorder continued there. He expressed concern that there were severe problems in the management of the premises, and consequently, the premises was not able to maintain the principles of the Act.

- (iii) The Licensing Manager reported that he had been given to understand that the hearing was to be held in Caernarfon on 7 and 8 September, as the Court was of the opinion that the proceedings would last for two days because new evidence had come to hand.

A member noted that he found it deplorable that the appeal hearing was being considered as a new case, with the submittal of new evidence being permitted up to the date of the hearing. He emphasised that the arrangements undermined the work of the sub-committee, and that the Act was defective.

- (iv) The Licensing Manager reported further that the members had expressed some frustration regarding many aspects of court procedures in relation to licensing appeals at the previous meeting of the committee. In accordance with the committee's wishes, he explained that he had sent a letter asking the Courts Service to meet with the Chairman and the Vice-chairman of the Central Licensing Committee and himself, to discuss various licensing matters. The Magistrates Clerk had refused to meet.

Other members confirmed that they were aware of the service's reluctance to co-operate and discuss.

Members expressed disappointment that the Magistrates Clerk had refused to meet the committee representatives. They were eager for another letter to be sent to the Clerk in an attempt to have a meeting to discuss various licensing issues, including the unacceptable delay in appeal hearings, and the fact that premises could be open for many months after the Licensing Sub-Committee had resolved to revoke the licence.

RESOLVED that the Licensing Manager responds to the Magistrates Clerk's recent correspondence, and conveys the Central Licensing Committee's disappointment that he is not prepared to meet with the Committee representatives to discuss their concerns. Also that the Manager asks once again for a meeting to discuss various licensing issues including the delay in any appeal hearings.

3. MINUTES OF THE CENTRAL LICENSING SUB-COMMITTEES

- (i) The minutes of the meeting of the Central Licensing Sub-committee held on 21 October 2009 were submitted in order to note and accept a correction to them.

It was reported that the minutes of the sub-committee submitted at the previous meeting of the Central Licensing Committee had been resubmitted to this meeting, as it had soon been realised that there was a mistake in the minutes. The minutes of the sub-committee noted that Geraint Edwards, a Solicitor for the Council had been present at the meeting, when in actual fact he had not been present. It was explained that the appeal against the sub-committee's decision still stood, and there was a need to note the correction.

RESOLVED to note and accept that Geraint Edwards, Solicitor, was not present at the Licensing Sub-committee held on 21 October 2009.

- (ii) Submitted, for information - the minutes of the following meetings of the Central Licensing Sub-committee:-

- (a) 19 November 2009
- (b) 16 December 2009
- (c) 25 March 2010

RESOLVED to accept the information.

3. MAXIMUM HACKNEY CARRIAGE FEES

Submitted – the report of the Head of Regulatory Department on the review of the hackney carriage fees.

The Licensing Manager reported that the Council had received many requests asking it to review the hackney vehicles carriage fees, mainly due to the increase in fuel prices, and they recommended increasing only the fees that related specifically to travelling.

It was explained that the fees would be advertised in the local press and unless objections would be received, they would become operational within a month's time.

RESOLVED to approve the following fees:-

First mile	2.80
Every subsequent mile	2.40
Waiting time	0.25
Extra luggage	0.25
Extra person	0.40
Carriage of animals	1.20
Soiling of vehicles	45.00

4 AMENDED CONDITIONS FOR STRETCH LIMOUSINE POLICY

Submitted:-

- (a) Submitted – the report of the Head of Regulatory Department on amending the conditions of the Stretch Limousine Policy;
- (b) The Stretch Limousine Licensing Policy approved by the Central Planning Committee on 17 August 2004.

The Licensing Manager reported that:-

- (i) the Council's current policy for licensing stretch limousines was similar to the licence for private hire vehicles, namely for a period of no longer than ten years.
- (ii) many requests had been received to review the policy with regards to the ten year restriction, mainly because stretch limousines did not achieve the same amount of mileage as was generally travelled by private hire vehicles.

- (iii) he recommended extending the consent for vehicles over ten years old subject to receiving regular mechanical tests and also that the National Limousine and Chauffeurs Association and representatives of the industry agree to the proposed changes in policy.
- (iv) that the process of reviewing hackney and private hire conditions was ongoing, in order to reflect the changes taking place within the industry.

The Manager reported further that Councillor Peter Reid, who was absent from the meeting, had informed the Manager that he supported the recommendation but that he also asked the committee to support a further condition not to permit the sale of alcohol in the limousines.

A member referred to the fact that the current policy had been operational since 2004, and there was a need to update sections of the document in relation to ensuring that safety belts were installed etc.

He also noted that the current policy set a maximum of 120 inches on a stretch limousine, but that most limousines were now 140 inches or greater, and he suggested that consideration should be given to increasing the maximum to 140.

The Officer explained that the committee had resolved to limit the limousines to 120 inches in 2004, in order to ensure that no more than eight people could travel in the vehicles. From the perspective of public safety and implementing the procedure, the Licensing Officer suggested that the licence should be limited to eight person vehicles. However, the Officer agreed to contact the National Limousine and Chauffeurs Association to seek information regarding increasing the maximum of stretch limousines to 140 inches.

It was noted that there were discrepancies between the Welsh version and the English version of the document and the Licensing Manager was asked to ensure that the documents would be reconciled.

RESOLVED

- (i) **To approve adding a condition to the Stretch Limousine Policy to extend the licence to include vehicle over ten years old, subject to them receiving mechanical tests every ten weeks which equates to five tests a year along with a condition prohibiting the sale of alcohol in stretch limousines.**
- (i) **That the Licensing Manager shall contact the National Limousines and Chauffeurs Association to seek information regarding extending the maximum limousines size to 140 inches, and delegating the power to the Licensing Manager in consultation with the Senior Portfolio Leader and the Chairman of the Licensing Committee, to extend the maximum for stretch limousines to 140 inches should they be happy to do so.**

The meeting commenced at 11:00am and concluded at 12.00pm.