

LICENSING SUB-COMMITTEE 25.05.2016

Present: Councillor Eryl Jones Williams (Chair), Councillors Angel Russell and Elfed Williams

Officers: Geraint B Edwards (Solicitor), Gwenan Mai Roberts (Licensing Manager), Ellen Robinson - observer (Transport Officer Education and Social Services) and Lowri Haf Evans (Member Support Officer).

1. WELCOME and APOLOGIES

Everyone was welcomed to the meeting by the Chairman, Councillor Eryl Jones Williams. The panel and the officers were introduced to everyone present.

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 due to 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 applied as the individuals in question were entitled to privacy and there was no overriding public interest that required the disclosure of personal information relating to those individuals, nor their identities. Consequently, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

5. APPLICATION FOR HACKNEY / PRIVATE HIRE DRIVER'S LICENCE

- a) The Licensing Manager presented the written report on the application received from Mr A. for a new hackney/private hire driver's licence.
- b) It was reiterated that a statement of convictions had been submitted and the statement noted that the applicant had a conviction that was relevant to licensing taxi drivers. The Committee was asked to consider the application in accordance with the DBS record, and in accordance with the guidelines on relevant crimes and convictions.
- c) The applicant was invited to expand on his application. He expanded on the background to his conviction and he highlighted his wish to get work in order to support his family. He also noted that he had received a message from a local company offering him work if the licence was approved.
- ch) Supporting Mr A's application was a support worker and it was confirmed that he had known the applicant for several years. He noted that the applicant was an honest person who had been seeking work for over five years to support his family. It was

confirmed that the applicant had received an offer of work by a local company if the licence was approved.

- d) The applicant and the support worker withdrew from the room while the Sub-committee members discussed the application.
- dd) The Sub-committee accepted the information recorded in the DBS statement as a correct description of the events. The Sub-committee was reminded, in accordance with section 59 of the Local Government (Miscellaneous Provisions) Act 1976, that a licence cannot be issued unless they were satisfied that the applicant was a fit and proper person to hold a licence.
- e) In reaching their decision, the Sub-committee had considered the following factors:
 - the requirements of the 'Gwynedd Council's Licensing Policy for Hackney Carriages and Private Hire'
 - the applicant's application form
 - the Licensing Department's report along with the DBS statement
 - verbal observations by the applicant and the support worker
 - that the applicant had previous convictions :
 - the offence, although it involved violence, had occurred over three years ago and therefore did not merit an automatic ban under paragraph 6.5 of the Council's policy.
 - the six months driving ban. When discussing paragraph 12.9 of the Policy, the Sub-committee considered that the brief driving ban that expired over a year ago was not a sufficient reason to not give the applicant a licence.

RESOLVED that the applicant was a fit and proper person to be issued with a hackney vehicle/private hire driver's licence and Mr A's application for a hackney vehicle/private hire licence was granted.

The meeting commenced at 2:00pm and concluded at 3:00pm.