

## **GENERAL LICENSING SUB-COMMITTEE**

### **04.10.16**

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**Present:** Councillor Eryl Jones Williams (Chair), Councillors Annwen Hughes and Louise Hughes

**Officers:** Geraint B. Edwards (Solicitor), Heilyn Williams (Licensing Officer) and Glynda O'Brien (Member Support Officer).

#### **1. WELCOME and APOLOGIES**

The Chair, Councillor Eryl Jones Williams, welcomed everyone to the meeting. 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. (i) APPLICATION FOR A HACKNEY/PRIVATE HIRE DRIVER'S LICENCE (MR A)**

- a) The Licensing Officer 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 elaborate on his application and especially the conviction of battery that took place in 2011, noting that it was a domestic incident between him and his wife. His wife did not take up a case against him but, as the incident had been seen on closed circuit television, the Crown Prosecution Service took action against him. He confirmed to the Panel that he still lived with his wife and had had two children since the incident and that another was due.

- ch) An email message was submitted in support of Mr A's application from a Police Inspector, stating that he had known him for over 20 years. He expressed that Mr A was a bright, eloquent and kind person. He was a sensible person at all times and that the previous conviction had been an event that was completely out of character. He would have no concern in offering Mr A employment and wished him success in gaining a taxi driver's licence.
- d) Mr A responded to a number of questions from the Panel Members including issues about his work, reasons for submitting the application etc.
- (dd) The applicant and the Licensing Officer withdrew from the room while the Sub-committee members discussed the application.
- (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
  - an email of support from a Police Inspector
  - that the applicant had previous convictions:
    - the convictions had been for criminal damage in 1990 and 1991 which had taken place 26 and 25 years ago.
    - That the drink driving conviction in 1998 had taken place 16 years ago and the conviction for battery had taken place in 2011, 5 1/2 years ago.
    - Although the above convictions were serious, they had taken place years ago

Under paragraphs 6.5 and 11.3 of the relevant policy, and considering that over three years had passed in relation to all convictions, the Sub-committee did not consider these convictions to be sufficient ground for refusing the application.

**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.**

**(ii) APPLICATION FOR A HACKNEY/PRIVATE HIRE DRIVER'S LICENCE (MR B)**

The Sub-committee expressed disappointment that the applicant was not present at the Sub-committee and as such:

**RESOLVED: (a) the decision on the above application would be deferred, with regard to the fact that the applicant was not present and that the Sub-committee needed more information and a further explanation from the applicant about the convictions.**

**(b) A request was made that the Licensing Officer contact the applicant suggesting that he submit testimonial letters in support of**

**his application from an employer and / or prospective employer  
before the Sub-committee further considers his application.**

The meeting commenced at 10:30am and concluded at 12:20pm.