

GENERAL LICENSING SUB-COMMITTEE 19.10.2016

Present: Councillor Tudor Owen (Chair), Councillors Ann Williams and John Wyn Williams

Officers: Geraint B Edwards (Solicitor), Gwenan Mai Roberts (Licensing Manager), and Lowri Haf Evans (Member Support Officer).

1. WELCOME and APOLOGIES

Everyone was welcomed to the meeting by the Chairman, Councillor Tudor Owen. 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 confirmed that a statement of convictions had been submitted and the statement noted that the applicant had a conviction that was relevant to taxi driver licensing. 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 apologised for not stating those convictions on his application form. He expressed his wish to work in order to contribute to his children's university expenses and to support himself and his household. He brought up the fact that he already drove lorries and construction vehicles at his existing job and that thorough checks had been carried out on his health and his ability to drive safely.

- ch) The applicant left the room whilst members of the Sub-committee discussed the application.
- dd) The Sub-committee received the information recorded in the DBS statement as an accurate account of events. The Sub-committee was reminded, in accordance with section 59 of the Local Government (Miscellaneous Provisions) Act 1976, that a licence could not be issued unless they were satisfied that the applicant was a fit and proper person to hold a licence.
- d) In reaching their decision, the Sub-committee 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
 - that the applicant had previous convictions:

The conviction relating to the fraudulent use of a driver's licence and an associated conviction of not being able to provide the Police with an insurance certificate were considered to be historical (dated 2000). In accordance with paragraph 8.2 of the Licensing Policy, three years must pass following a conviction for an offence relating to dishonesty before the granting of a licence can be considered. The Sub-committee did not consider this to be a reason for rejecting the application.

The conviction for harassment in 2013 was considered to be historical. According to paragraph 17.1 of the Licensing Policy, 12 months must pass from the date of the warning before the granting of a licence can be considered. But as the event had taken place more than three years previous, the Sub-committee did not consider this to be a reason 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.

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