

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: PLANNING, REGULATORY AND GENERAL LICENSING COMMITTEE (GENERAL LICENSING MATTERS) – 8TH FEBRUARY, 2021

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillor W. Hodgins (Vice-Chair)

D. Bevan

J. Hill

C. Meredith

K. Pritchard

T. Smith

B. Willis

D. Wilkshire

**WITH: Team Manager – Trading Standards and Licensing
Senior Licensing Officer
Head of Legal and Corporate Compliance
Solicitor**

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> An apology for absence was received from Councillor K. Councillor.	

No. 3	<u>DECLARATIONS OF INTEREST & DISPENSATIONS</u> There were no declarations of interest or dispensations reported.	
No. 4	<u>NON-STATUTORY LICENCE FEES 2021/22</u> Consideration was given to the report of the Team Manager – Trading Standards and Licensing. The Team Manager – Trading Standards and Licensing spoke to the report which had been presented to inform Members of the proposed licence fees for 2021/22 in respect of taxis, scrap metal, street trading and sex establishments. It was reported that the fees were determined by the Corporate Director Regeneration and Community Services and presented to the General Licensing Committee for scrutiny. The Team Manager referred Members to the preferred option which was to maintain the current fees for 2021/2022 in order to support businesses and the wider public during these difficult and challenging times. However, the Team Manager pointed out the budget implications and advised that there was currently a cost pressure on the Licensing Committee’s Income of £33,000 for 2020/21. The Income Budget had not been inflated for 2021/22 and therefore the cost pressure would remain if it was not addressed and could potentially worsen if the number of licences required decreased. Although the preferred option was to maintain the current fees he felt it was important to highlight the budget implications with the Committee. It was reported that although it was normal practice for consultation to be undertaken on fee increases, it was not necessary to consult when there were no changes to fees. The Team Manager – Licensing and Trading Standards further explained the fees outlined in the attached appendices.	

	<p>The Members of the General Licensing Committee welcomed the freeze on licensing fees and concurred that it was a difficult time for businesses. It was important that the Local Authority supported these business and it was therefore unanimously</p> <p>RESOLVED that the report be accepted and Members supported the proposal to retain 2020/21 levels of fees in 2021/22.</p>	
<p>No. 6</p>	<p><u>SCHEDULE OF APPLICATIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest, in maintaining the exemption, outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it was likely there would be a disclosure of exempt information as defined in Paragraph 12 Schedule 12A of the Local Government Act 1972.</p> <p>Consideration was given to the report of the Senior Licensing Officer, whereupon:-</p> <p><u>Application for a New Hackney Carriage/Private Hire Vehicle Drivers Licence</u></p> <p>Consideration was given to the application for a New Hackney Carriage/Private Hire Vehicle Drivers Licence.</p> <p>The Applicant was introduced to Officers and Members of the Committee.</p> <p>At the invitation of the Chair the Senior Licensing Officer advised that the applicant was for a new licence and presented to Members the Applicant's application.</p>	

The Chair then invited the Applicant to present his case.

The Applicant referred to incidents on his application and felt that he had now matured and his previous behaviour was behind him.

At the invitation of the Chair the Applicant gave his reasons for why the Committee should not revoke his Licence.

The Applicant informed that he had applied for the licence to provide for his family and had hoped that as the business grew he could incorporate buses as he also had a bus licence.

The Chair invited questions from Members at this juncture.

A number of questions were raised by Members in relation to incidents on his application and bus training/driving undertaken by the Applicant.

The questions were responded to accordingly by the Applicant and Officers.

The Applicant and Licensing Officers left the meeting at this juncture for Members to consider the application.

The Committee discussed the application at length and a decision was made, and the Applicant and Officers were invited back into the meeting.

The Chair confirmed that Members had given due consideration to the application and asked the Solicitor to read out the decision of the Licensing Committee, as follows:-

The application before the Committee is for a New Hackney Carriage and Private Hire Vehicle Drivers Licence. The Licensing Officer informed Members that the Applicant had not previously held this type of licence.

The Committee noted from the DBS record shown to them today that the Applicant had a number of previous convictions, the Applicant explained the circumstances of the offences to Members present.

In mitigation, in relation to the offences, the Applicant said that the main offences happened a long time ago when he was a young man and he has now matured with a young child to think about.

The Committee considered the evidence placed before the Committee today when reaching a decision and also considered the previous convictions and the representations made by the Applicant. The Committee also considered the representations made by the Licensing Officers present and considered the Council's Convictions Policy and guidance conditions relating to Hackney Carriage Drivers Licences and Private Hire Vehicle Drivers Licences. The Committee considered in particular, the nature of the offences, how long ago they were committed, the applicant's age at the time of the offences and the patterning of offending and penalties imposed as required within the Policy.

The Committee are of the opinion that the Applicant is a fit and proper person to hold a Hackney Carriage/Private Hire Driver's Licence and the Committee therefore grant the application, therefore it was

RESOLVED that the Committee grant the Application.