

No.

PUBLIC PROTECTION LICENSING COMMITTEE

Minutes of a remote meeting held on 19th September, 2023.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor P. Drake (Chair); Councillor J.M. Norman (Vice-Chair);
Councillors G. Bruce, L. Burnett, V.P. Driscoll, C.P. Franks, E. Goodjohn, W.A.
Hennessy, N.B. Marshallsea and R. Sivagnanam.

344 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

345 APOLOGIES FOR ABSENCE –

These were received from Councillors R. Fisher and M.R. Wilkinson.

346 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 13th June, 2023 be approved as a correct record.

347 DECLARATIONS OF INTEREST –

No declarations of interest were received.

348 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

No.

349 GRANT OF LICENCES – A (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

The report was presented by the Licensing Team Manager for Committee to determine whether A was a fit and proper person to hold Vale of Glamorgan Hackney Carriage and Private Hire Vehicle Driver Licences.

The Licensing Team Manager advised Committee that A was in attendance at the hearing, was fully able to participate in the hearing, had received the papers that had also been circulated to Committee Members and advised all parties of the procedure for the meeting.

Committee had adopted guidance on determining the suitability of applicants and licences as part of the Hackney Carriage and Private Hire trades which contained categories for different types of offences and the periods that would elapse prior to an application being considered. However, she added that each case was determined on its own merits.

The Licensing Team Manager provided the details of the Disclosure and Barring Service (DBS) Certificate which was commissioned as part of the application process to Committee Members and had triggered the Suitability Policy as well as other related convictions which showed a pattern of offending that were also covered within the Policy.

As the DBS Certificate was not reproduced, the Licensing Team Manager read the relevant document to Committee Members for their consideration and five relevant matters were disclosed to the Committee.

The Licensing Team Manager then referred Members to Appendices D and E which documented issues concerning A's conduct as part of the process of application for a licence for the Committee to consider which was not conduct expected from someone applying to become a license holder. A had apologised at the time but the Committee were asked to consider Appendices D and E as part of their determination.

The Licensing Team Manager therefore requested that A's application be determined by the Committee.

No further questions or points of clarification were sought, the Chair asked A if he wished to make a statement to the Committee which he proceeded to do before being asked to leave so the Committee could debate the application, and his written and oral submissions and make a decision.

The Licensing Team Manager advised that notification would be sent to A by Licensing Officers within 7 days following the decision of the Committee.

A left the meeting whereby the application was considered by the Committee, was put to the vote and was unanimously agreed.

No.

Having fully considered the matter, Committee subsequently:

RESOLVED – T H A T, having heard representations from A in respect of an application for a Hackney Carriage / Private Hire Drivers licence, it was unanimously resolved not to grant a licence as they did not consider that the applicant was a fit and proper person to hold a licence.

Reason for decision

It was the unanimous decision of the Public Protection Licensing Committee that the applicant was not a fit and proper person for the purposes of a grant of a Hackney carriage and Private Hire Driver Licences. The Committee were not persuaded to disapply the policy on the treatment of convictions and the applicant offered no compelling reasons to depart from the application of the policy. In particular the Committee were concerned that there had been a pattern of offending in relation to Class A and Class B drugs. Most notably the applicant had served a period of imprisonment for possession with the intent to supply Heroin and ten years had not elapsed since the completion of that sentence as required by the policy. In addition, the Committee took into account the applicant's unreasonable behaviour to Council staff when he attended at the Civic Offices. He did not deny acting in the manner described and the Committee were concerned that this was not a fit and proper way for the applicant to have conducted himself.

350 APPLICATION TO RENEW PRIVATE HIRE VEHICLE LICENCE – I (DEH)
– (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

Members were advised that prior to the meeting the applicant had withdrawn their application and as such there were no matters for Members to determine under the agenda item.