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County Hall
Rhadyr
Usk
NP15 1GA

Monday, 8 October 2018

Notice of meeting

Licensing and Regulatory Committee

Tuesday, 16th October, 2018 at 10.00 am,
The Council Chamber, Rhadyr, Usk, Monmouthshire, NP15 1GA

AGENDA

Item No	Item	Pages
1.	Apologies for absence.	
2.	Declarations of interest.	
3.	To confirm and sign the minutes of the previous meeting.	1 - 4
4.	To exclude the press and public from the meeting during consideration of the following items of business in accordance with section 100A of the Local Government Act, as amended, on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 12 of part 4 of Schedule 12A to the Act.	5 - 8
5.	To consider whether the operator is 'Fit and Proper' to continue to hold a Private Hire Operator licence (report to follow).	
6.	To consider whether the driver is 'Fit and Proper' to continue to hold a Hackney Carriage / Private Hire drivers licence (report to follow).	
7.	To note the date and time of the next meeting as being the 27th November 2018 at 10.00am.	

Paul Matthews

Chief Executive

MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

B. Strong
J. Higginson
A. Easson
M. Lane
J. Pratt
R. Roden
J. Treharne
R. Edwards
D. Evans
L. Guppy
F. Taylor
A. Webb

Public Information

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Welsh Language

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

Aims and Values of Monmouthshire County Council

Our purpose

Building Sustainable and Resilient Communities

Objectives we are working towards

- Giving people the best possible start in life
- A thriving and connected county
- Maximise the Potential of the natural and built environment
- Lifelong well-being
- A future focused council

Our Values

Openness. We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

Fairness. We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

Flexibility. We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

Teamwork. We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Licensing and Regulatory Committee held
at The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA on Tuesday, 18th
September, 2018 at 10.00 am**

PRESENT: County Councillor B. Strong (Chairman)
County Councillor J. Higginson (Vice Chairman)

County Councillors: A. Easson, M. Lane, J. Pratt, J. Treharne,
R. Edwards, D. Evans and L. Guppy

OFFICERS IN ATTENDANCE:

David Jones	Head of Public Protection
Linda O'Gorman	Principal Licensing Officer
Taylor Watts	Licensing Officer
Ioan Gealy	Solicitor
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillors R. Roden and A. Webb

1. Declarations of interest

County Councillor B. Strong declared a personal and prejudicial interest, pursuant to the Members Code of Conduct, in respect of agenda item 5 – Annual Block Street Trading Consent for Usk Town Centre, as he is an Usk Town Councillor and was involved in the original application at a Town Council meeting.

2. Confirmation of Minutes

The minutes of the Licensing and Regulatory Committee dated 12th June 2018 were confirmed and signed by the Chair subject to the following amendment:

Remove County Councillor R.J. Higginson as being present at the meeting.

3. Exclusion of the Press and Public

We resolved to exclude the press and public from the meeting during consideration of the following item of business in accordance with section 100A of the Local Government Act, as amended, on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 12 of part 4 of Schedule 12A to the Act.

4. To consider whether the driver is "Fit and Proper" to continue to hold a Hackney Carriage/Private Hire Drivers Licence

The Chairman welcomed the applicant to the meeting and introduced Members of the Committee and the attending Officers and explained the protocol for the meeting.

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The applicant confirmed their name and address to the Committee. The applicant confirmed receipt of the report.

The key issues and details were read out to the Committee.

The applicant was then given the opportunity to address the Committee, to put forward any relevant explanations. Following this, Members of the Committee put forward questions to the applicant and discussion ensued.

Following questioning, officers and the applicant left the meeting to allow the Committee the opportunity to deliberate and discuss the findings.

Upon re-commencement, the Chairman advised that the Committee had considered the issues and had come to the view that the applicant should retain his license.

5. Reinstatement of the Press and Public

We resolved to reinstate the press and public to the meeting.

6. Annual Block Street Trading Consent for Usk Town Centre

We considered an application to increase the area already granted by this Committee for a Block Street Trading Consent in Usk Town Centre.

Councillor Jan Richards, representing Usk Town Council, provided the Committee with the following information:

- It was considered that there was a need to spread the market more across Usk Town making it more accessible to the public and to reduce congestion on Twyn Square.
- An annual block trading licence had been submitted and had been granted in March 2018.
- The Town Council had included some conditions which made local businesses more accessible but also included opportunities for local charities.
- There was an error in the application granted in March 2018 regarding the number of spaces for Twyn Square. This figure had always been intended as being 52 pitches.
- There has been interest in creating a winter wonderland zone in Maryport Street South car park. Part of the intent for this location is to provide more activities. Traders are supporting this proposal.

Having received the presentation by the Usk Town Council representative, the following points were noted:

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- A new application has been made by the Town Council. In terms of interest being shown, it was noted that without appropriate permissions being granted, this could have a detrimental effect on the event.
- There have been no objections, only considerable support for the event.
- Engagement with the public has been undertaken. The Town Council has a very active social media platform and information is also made available to residents not on social media. A survey had been undertaken whereby a good positive response had been received. The popularity of the Christmas Festival was evident from data obtained via the survey. The desire was to make the Festival more of a town event.
- To accommodate visitors coming to the event, there are options available: a request has been made to provide a park and ride facility from the Monmouthshire County Council Car Park, Rhadyr, Usk. Also, there will be the use of a local businessman's land to provide parking, which was used for last year's event. The local rugby club has a larger hard standing area, which could also be used for parking. The spreading of the event across the town should enhance the traffic management provision.
- The park and ride facility will operate throughout the Saturday and Sunday. On Friday evening and Monday morning there will be access for local car parking.

We resolved to approve Usk Town Council's request for an Annual Block Street Trading Consent for Usk Town Centre.

7. Statement of Gambling Policy and Proposals for Casinos

We considered the approach to be adopted by Monmouthshire County Council with regard to casino premises applications within the County and the proposed 'Draft Statement of Gambling Policy 2019' prior to submission to Full Council.

In doing so, the Principal Licensing Officer informed the Committee that a response had been received from Jackie Williams of Aneurin Bevan Gwent Public Health Team and also from Dr Sarah Aitken of Aneurin Bevan University Health Board.

We resolved:

- (i) to support the retention of the current resolution not to issue casino licences within the County of Monmouthshire prior to it being considered at Full Council in October 2018.
- (ii) to support the proposed updated policy statement (changes highlighted in red and following consultation further amendments highlighted in blue), which is attached as Appendix A to the report. This Policy will then be considered at Full Council in October 2018.

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8. Public Protection 2017/18 Performance Report

We considered a report by the Head of Public Protection regarding service delivery across Public Protection services during the financial year 2017/18, with comparison to previous years.

Having received the report, the following points were noted:

- Following the recent dry summer, there have been no instances of private water supplies running out of supply. A contingency plan had been established in case supplies ran out. There are currently in the region of 160 private water supply sources within the County, varying in size.
- With regard to the A465 Heads of the Valleys construction works, it was noted that there had been no financial support received from Welsh Government to the Council to aid in the additional provision of services being provided by the Authority. A letter had been written to Welsh Government about a year ago regarding this matter. County Council officer resources have been stretched over the period of the works. The Head of Public Protection stated that he would investigate this matter further. County Councillor J. Pratt informed the Committee that she would be meeting shortly with the Leader of the Council regarding this matter. The Head of Public Protection will send her the previous letter to Welsh Government about the matter, prior to this meeting. County Councillor Pratt will request that the Leader writes to the Welsh Government Minister for additional financial resources to be provided to the Authority whilst these works continue. Regard must also be had in respect of the proposed M4 relief road, which will again impact on our limited Environmental Health resources.
- Road side parking will become the responsibility of the Authority's Transport Unit in April 2019.
- The Committee asked the Head of Public Protection to take back to his staff the Committee's appreciation for the service that the teams provide in difficult financial circumstances.

We resolved to receive the report and noted its content.

9. Next Meeting

The next Licensing and Regulatory Committee will be held on 16th October 2018 at 10.00am.

The meeting ended at 11.55 am.

**SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

REPORT: To consider whether the operator is "Fit and Proper" to continue to hold a Private Hire Operator licence

AUTHOR: Leigh Beach

MEETING AND DATE OF MEETING: Tuesday 16th October 2018
Licensing and Regulatory Committee

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

Exemptions applying to the report:

Information relating to a particular individual as described in Paragraph 12 of part 4 of Schedule 12A to the Local Government Act 1972

Factors in favour of disclosure:

Openness and transparency in matters concerned with the public
Not applicable at this time (see below)

Prejudice which would result if the information were disclosed:

Applicable The applicant will be attending the Committee meeting on the Tuesday 16th October 2018 and any information disclosed prior to this date may jeopardise the applicant's right to a fair hearing

My view on the public interest test is as follows:

Factors in favour of not disclosing outweigh those against.

Recommended decision on exemption from disclosure:

Maintain exemption from publication in relation to report.

Date: 08th October 2018

Signed: *L Beach*

Post: Licensing Officer

I accept/do not accept the recommendation made above.

F Williams
Proper Officer

Date: 08/10/18

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**SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

REPORT: To consider whether the driver is "Fit and Proper" to continue to hold a Hackney Carriage/ Private Hire drivers licence

AUTHOR: Leigh Beach

MEETING AND DATE OF MEETING: Tuesday 16th October 2018
Licensing and Regulatory Committee

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

Exemptions applying to the report:
Information relating to a particular individual as described in Paragraph 12 of part 4 of Schedule 12A to the Local Government Act 1972

Factors in favour of disclosure:
Openness and transparency in matters concerned with the public
Not applicable at this time (see below)

Prejudice which would result if the information were disclosed:
Applicable The applicant will be attending the Committee meeting on the Tuesday 16th October 2018 and any information disclosed prior to this date may jeopardise the applicant's right to a fair hearing

My view on the public interest test is as follows:
Factors in favour of not disclosing outweigh those against

Recommended decision on exemption from disclosure:
Maintain exemption from publication in relation to report.

Date: 08th October 2018

Signed: 

Post: Licensing Officer

I accept/do not accept the recommendation made above.


Proper Officer

Date: 08/10/18

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