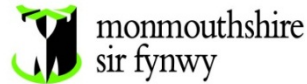


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County Hall
Rhadyr
Usk
NP15 1GA

Monday, 8 July 2019

Notice of meeting

Licensing and Regulatory Committee

Tuesday, 16th July, 2019 at 10.00 am,
The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA

AGENDA

Item No	Item	Pages
1.	Election of Chair.	
2.	Appointment of Vice-Chair.	
3.	Apologies for absence.	
4.	Declarations of interest.	
5.	To confirm and sign the minutes of the previous meeting.	1 - 4
6.	To consider whether 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 involves the likely disclosure of exempt information as defined in Paragraph 12 of part 4 of Schedule 12A to the Act.	5 - 6
7.	To consider whether the driver is "Fit and Proper" to hold a Hackney Carriage / Private Hire Drivers Licence.	7 - 18
8.	Next meeting. Tuesday 10 th September 2019 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
S. Howarth
A. Easson
S.B. Jones
M. Lane
R. Roden
J. Treharne
R. Edwards
D. Evans
L. Guppy
A. Webb

Public Information

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Watch this meeting online

This meeting can be viewed online either live or following the meeting by visiting www.monmouthshire.gov.uk or by visiting our Youtube page by searching MonmouthshireCC.

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 5**

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, 19th
February, 2019 at 10.00 am**

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

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

OFFICERS IN ATTENDANCE:

David Jones	Head of Public Protection
Leigh Beach	Licensing Officer
Joanne Chase	Solicitor
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillor R. Edwards

1. Declarations of interest

There were no declarations of interest raised by Members.

2. Gambling Act 2005 - Premises Licence Fees

We received a report regarding the fees to set for this Authority in relation to Premises Licences under the Gambling Act 2005 for 21st May 2019 – 20th May 2020.

In doing so, the following points were noted:

- In response to a question raised regarding fees that are losing income and whether there might be a way to change the system to reduce the loss of income, it was noted that this matter could be dealt with at a national level whereby officers could report back to the Institute of Licencing in respect of this matter.

We resolved that:

- (i) the fees and charges, as detailed in Appendix A of the report, be approved and have effect from 21st May 2019.
- (ii) the fees be subsequently reviewed annually.

3. Welsh Government White Paper - Improving Public Transport

We received a report regarding the consultation response to the Welsh Government White Paper – Improving Public Transport.

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, 19th February, 2019 at 10.00 am

In doing so, the following points were noted:

- Part 2 – Welsh Government White Paper – Improving Public Transport: The following amendments would be required:
 - Question 29 – Currently, Police, DVSA and local Authority officers all have different powers. Therefore, proposals to make the enforcement powers more consistent to benefit the trade would be more appropriate.
 - Question 34 – The third line within the response makes reference to option B. This needs to be amended to refer to option A.
 - Question 36 – With regard to Welsh language, a note be added stating that in Monmouthshire, we already have dual language badges and plates on all of our vehicles, as well as having bilingual roof lights.
- The White paper was considered to be narrow in its approach and does not encompass the changes in technology.
- Members agreed with officers in that they could not support a National Licensing Authority and agreed with the comments, as outlined in Question 33. Members' comments were noted and would be reported back to the National Group.
- In a rural economy, buses are being subsidised but the services being provided are not always fit for purpose. A more flexible transport system is required.
- It was considered that the taxi service is going to change, going forward.
- The White Paper does not address safeguarding issues if a system is introduced that collects passengers at various pick up points who then share a taxi.
- The White Paper is considered to be out of date.
- In response, it was noted that it would be simpler to have just a single tier system.
- It was acknowledged that technology could be included.
- On a national level, the UK Government has released separate consultation documents looking at reforming taxis in England and Wales.
- Monmouthshire borders six counties, some of which are located within England. Therefore, the White Paper needs to run in tandem with its English counterpart. This has been referred to in the consultation response.
- Concern was expressed that some specialist vehicles are being used for weddings which are often two door vehicles. In response, it was noted that

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, 19th February, 2019 at 10.00 am

funeral and wedding vehicles are exempt under the current acts. Some consistency around this issue would be beneficial, going forward.

- It was noted that Welsh Government has dispatched the consultation document to the majority of taxi firms. Monmouthshire County Council has also dispatched the document to all of its licensed drivers providing them with an opportunity to respond.
- Enforcement should remain within the remit of the local Authority, as outlined in Question 28, particularly around safeguarding issues. Currently, when a safeguarding complaint is received that requires investigation, officers discuss with social services and local police and strategy meetings are held to ascertain the action required.
- In response to a question raised regarding Welsh speaking, the Authority currently does not have any drivers that prefer to correspond in Welsh.
- On behalf of the Committee, the Chair commended officers for the work that has been undertaken and asked that the views expressed by the Committee be taken into account.

We resolved:

- (i) to note the information in respect of Welsh Government's White Paper "Improving Public Transport".
- (ii) to approve the consultation response, attached as Appendix A to the report, on behalf of Monmouthshire County Council in respect of Part 2 of the White Paper "taxis and private hire vehicles".
- (iii) that the response submitted by Monmouthshire County Council replicates the response approved by the All Wales Licensing Expert Panel and incorporates the views expressed by the Licensing and Regulatory Committee.

4. Confirmation of the following minutes:

4.1. Licensing and Regulatory Committee dated 15th January 2019

The minutes of the Licensing and Regulatory Committee dated 15th January 2019 were confirmed and signed by the Chair.

4.2. Licensing and Regulatory Sub Committee dated 15th January 2019

The minutes of the Licensing and Regulatory Sub Committee dated 15th January 2019 were confirmed and signed by the Chair.

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, 19th
February, 2019 at 10.00 am**

4.3. Special Meeting - Rights of Way Advisory Panel, Licensing and Regulatory Committee dated 29th January 2019

The minutes of the special meeting of the Rights of Way Advisory Panel, Licensing and Regulatory Committee dated 29th January 2019 were confirmed and signed by the Chair.

In doing so, the following amendment was agreed in which the final paragraph would read:

'Upon taking into account the evidence presented, Members unanimously agreed to approve the recommendations and the Cabinet Member for Operations Management be advised accordingly.'

5. Next Meeting

- Licensing and Regulatory Sub Committee – Tuesday 5th March 2019 at 11.00am.
- Licensing and Regulatory Committee – Tuesday 9th April 2019 at 10.00am.

The meeting ended at 10.42 am.

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

REPORT: To consider whether the applicant is "Fit and Proper" to hold a Hackney Carriage/Private Hire Drivers Licence

AUTHOR: Leigh Beach

MEETING AND DATE OF MEETING: Tuesday 16th July 2019
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 July 2019 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: 05th July 2019

Signed: 

Post: Licensing Officer

I accept ~~the~~ the recommendation made above.


Proper Officer

Date: 8/7/19

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