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County Hall
Rhadyr
Usk
NP15 1GA

Monday, 28 August 2023

Notice of meeting

Licensing and Regulatory Committee

Tuesday, 5th September, 2023 at 10.00 am,
The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with
remote attendance

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.	Exclusion of the Press and Public	5 - 8
5.	To consider whether the driver is "Fit and Proper" to continue to hold a Hackney Carriage/Private Hire Drivers Licence. To consider if the licensed Private Hire Operator should continue to hold such licence.	9 - 32
6.	Next Meeting: Tuesday 17th October 2023 at 10.00am.	

Paul Matthews

Chief Executive / Prif Weithredwr

MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillor Lisa Dymock	Portskewett;	Welsh Conservative Party
County Councillor Tony Easson	Dewstow;	Welsh Labour/Llafur Cymru
County Councillor Christopher Edwards	St. Kingsmark;	Welsh Conservative Party
County Councillor Simon Howarth	Llanelly Hill;	Independent Group
County Councillor Jane Lucas	Osbaston;	Welsh Conservative Party
County Councillor Jayne McKenna	Mitchel Troy and Trellech United;	Welsh Conservative Party
County Councillor Alistair Neill	Gobion Fawr;	Welsh Conservative Party
County Councillor Sue Riley	Bulwark and Thornwell;	Welsh Labour/Llafur Cymru
County Councillor Dale Rooke	Chepstow Castle & Larkfield;	Welsh Labour/Llafur Cymru
County Councillor Jackie Strong	Caldicot Cross;	Welsh Labour/Llafur Cymru
County Councillor Tudor Thomas	Park;	Welsh Labour/Llafur Cymru
County Councillor Armand Watts	Bulwark and Thornwell;	Welsh Labour/Llafur Cymru

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.

Kindness: We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

Public Document Pack Agenda Item 3

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Licensing and Regulatory Committee held in the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 13th June, 2023 at 10.00 am

PRESENT: County Councillor Tudor Thomas (Chair)
County Councillor Jayne McKenna (Vice-Chair)

County Councillors: Tony Easson, Christopher Edwards, Simon Howarth, Jane Lucas, Alistair Neill, Dale Rooke, Jackie Strong, Armand Watts and Jan Butler (substitute for Lisa Dymock)

OFFICERS IN ATTENDANCE:

David Jones	Head of Public Protection
Taylor Watts	Licensing Officer
Ben Davies	Solicitor
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillors: Lisa Dymock and Sue Riley

1. Election of Chair

We elected County Councillor Tudor Thomas as Chair.

2. Appointment of Vice-Chair

We appointed County Councillor Jayne McKenna as Vice-Chair.

3. Apologies for Absence

County Councillors Lisa Dymock and Sue Riley.

4. Declarations of Interest

None received.

5. Application for Block Street Trading Consent for Tintern Village Hall

The Licensing and Regulatory Sub-Committee considered an application for a block street trading consent for Tintern Village Hall, Quayside, Tintern, NP16 6SZ, with a maximum of 12 pitches. Where pitches will be based in the car park, garden and play area of the premises.

The application has been made by the Treasurer for Tintern Village Hall Management Committee, who was in attendance at the hearing.

The Committee considered the report produced by the Licensing Officer and reviewed a copy of the application provided by the applicant.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Licensing and Regulatory Committee held in the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 13th June, 2023 at 10.00 am

The application was received by the Licensing Authority on 13th April 2023.

The days and times requested by the applicant in the application are as follows:

- Monday – 10:00–16:00
- Saturday – 10:00–16:00
- Sunday – 10:00–16:00

During the hearing, the applicant clarified that it was the intention to hold a monthly Farmers / Local Produce Market between 10.00am and 2.00pm selling food, drink and / or flowers (primarily locally grown / produced in Monmouthshire or the Wye Valley) and to hold Craft Markets approximately three to four times a year where pitches will sell homemade craft items, particularly at Christmas and Easter. The applicant clarified that it was not the intention to operate every Monday, Saturday and Sunday during the year.

The Committee was grateful for this clarification, as this was not clear from the information contained in the application. It was further noted that the application form itself did not allow for this information to be included. This will be reviewed by the Licensing Department.

The Committee noted that the application had been sent to the statutory consultees for consultation, these included:

- Police Licensing
- Police Traffic
- The local Ward Member
- various departments within Monmouthshire County Council namely, Estates, Highways, Planning and Environmental Health. No representations were received by any statutory consultee.

The Committee noted that there were no representations received by any statutory consultee and that there were no further objections to this application.

The applicant, in their submission to the Committee stated that it was their understanding that there was no opposition to the application from local businesses. The Committee noted this but had to consider there were no letters of support contained within the papers being considered.

The Committee noted that Section 7 of Monmouthshire County Council's Street Trading Policy 2015 states:

The use shall not be located within 100 metres of an existing shop, restaurant, hot food takeaway those holding a street trading consent and market place (which includes block consents).

The Committee considered Appendix C of the report which shows the distance between Tintern Village Hall and premises which may sell similar goods. The following was noted:

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Licensing and Regulatory Committee held in the Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Tuesday, 13th June, 2023 at 10.00 am

- Old Filling Station – 27.41 metres
- Anchor Inn – 162.25 metres
- The Wild Hare – 82.84 metres
- Abbey Mill – 69.40 metres
- Leyton's Field (Site of Tintern Fete) – 75.03 metres - Tintern Fete takes place annually on Leyton's Field which is of close proximity to Tintern Village Hall.

The Committee carefully considered whether the local businesses were likely to be impacted by the proposed licence. Particular consideration was given to the nature of the local businesses, the products being offered by those businesses and the frequency and type of events to be held at Tintern Village Hall under the proposed licence and the products being offered.

The Committee also clarified how the site would be monitored, particularly in respect of litter. The applicant confirmed that litter will be managed and monitored at the site but the products to be sold at events are not for consumption on site and any beverages offered will be in re-usable / non-disposable cups.

Following questioning, the Licensing and Regulatory Committee and the Legal representative left the meeting to deliberate and discuss the findings.

Upon re-commencement and in taking into account all of the matters raised, relevant legislation and guidance and all the relevant circumstances of the application, we resolved to grant the application for 12 months.

6. Confirmation of Minutes

The minutes of the Licensing and Regulatory Committee meeting held on 25th April 2023 were confirmed and signed by the Chair.

7. Next Meeting

Tuesday 25th July 2023 at 10.00am.

The meeting ended at 11.13 am.

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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 and a Private Hire Operators Licence.

AUTHOR: Emma Watkins

MEETING AND DATE OF MEETING: Tuesday 5th September 2023
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 5th September 2023 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: 24th August 2023

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Signed: EL WAKI

Post: Licensing Officer

I accept/~~do not accept~~ the recommendation made above.

Proper Officer

Date: June 14, 2011

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of the Local Government Act 1972.

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