

# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Monday, 1 July 2024

## Notice of meeting

### Licensing and Regulatory Committee

Tuesday, 9th July, 2024 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 - 2
4.	Exclusion of the Press and Public.	3 - 4
5.	To consider whether the driver is "Fit and Proper" to hold a Hackney Carriage/Private Hire Drivers Licence.	5 - 30
6.	Next Meeting: Tuesday 17th September 2024 at 10.00am.	

**Paul Matthews**

**Chief Executive**

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

### Access to paper copies of agendas and reports

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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](http://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

To become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

## **Objectives we are working towards**

- Fair place to live where the effects of inequality and poverty have been reduced.
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency.
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop.
- Safe place to live where people have a home where they feel secure in.
- Connected place where people feel part of a community and are valued.
- Learning place where everybody has the opportunity to reach their potential.

## 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, 21st May, 2024 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, Sue Riley, Dale Rooke,  
Jackie Strong and Armand Watts

### **OFFICERS IN ATTENDANCE:**

David Jones	Head of Public Protection
Linda O'Gorman	Principal Licensing Officer
Emma Watkins	Licensing Officer
Julian Sanders	Solicitor
Anna Hawker	Trainee Solicitor
Richard Williams	Democratic Services Officer

### **APOLOGIES:**

County Councillor Lisa Dymock

#### **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. Declarations of interest**

None received.

#### **4. Confirmation of Minutes**

The minutes of the Licensing and Regulatory Committee Meeting dated 9<sup>th</sup> April 2024 were confirmed as an accurate record and signed by the Chair.

#### **5. Statement of Gambling Policy and Proposals for Casinos**

The Principal Licensing Officer presented the Draft Statement of Gambling Policy 2025' prior to submission to Full Council.

Following presentation of the report, Committee Members were invited to ask questions:

<https://www.youtube.com/live/6nlirrJdkH0?si=LuV80PJsfKV79Wu6&t=325>

## **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, 21st May, 2024 at 10.00 am**

We resolved:

- (i) to retain the current resolution not to issue casino licences within the County of Monmouthshire prior to it being considered at Full Council.
- (ii) that having reviewed the proposed updated Gambling Policy statement for the period 31<sup>st</sup> January 2025 to 30<sup>th</sup> January 2028, that approval be sought to commence the statutory consultation process prior to determining the new statement.

#### **6. Exclusion of the Press and Public**

We excluded 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 1972, 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.

#### **7. To consider whether the driver is "Fit and Proper" 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.

The applicant confirmed their name and address to the Committee. The applicant confirmed receipt of the report and acknowledged that they would proceed without legal representation.

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. The applicant was then given the opportunity to sum up.

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 Chair advised that consideration of the application to hold a Hackney Carriage / Private Hire Driver's Licence would be deferred to a future meeting of the Licensing and Regulatory Committee to allow the applicant the opportunity to have a translator and legal advisor present with them.

#### **8. Next Meeting**

Tuesday 9th July 2024 at 10.00am.

**The meeting ended at 12.13 pm.**



## LICENSING AND REGULATORY COMMITTEE – 2024

### PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

**SUBJECT: LICENSING OF HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE  
DRIVERS**

**REPORT BY:**

Emma Watkins

**MEETING AND DATE OF  
MEETING:**

21<sup>st</sup> May 2024  
Licensing and Regulatory Committee

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

**EXEMPTIONS APPLYING TO THE REPORT:**

The report contains information relating to a particular individual (paragraph 12).

**FACTORS IN FAVOUR OF DISCLOSURE:**

There is a public interest for the process to be open and transparent when councils consider the fitness or suitability of applicants for of taxi driver licences.

**PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:**

The report includes sensitive personal information relating to the licensee.

**MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:**

That paragraph 12 should apply. My view on the public interest test is that whilst there is a need to ensure transparency and accountability of a Public Authority for decisions taken in relation to taxi drivers, this must be balanced against the fact that the report contains sensitive personal information about the applicant which must remain exempt from publication.

On that basis I feel that the public interest in maintaining the exemption does outweigh the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering whether to exclude the press and public from the meeting when this agenda item is being considered.

**RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:**

On that basis I feel that the public interest in maintaining the exemption does outweigh the public interest in disclosing the information and that the report should be exempt.

**Signed: Emma Watkins**

**Date: 13/05/2024**

**Post: Licensing Officer**

I accept the recommendation made above.

A handwritten signature in cursive script, appearing to read "J. K. ...".

**Signed:** \_\_\_\_\_

**Date:** 13/05/24



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