

No.

PUBLIC PROTECTION LICENCING COMMITTEE

Minutes of a Remote meeting held on 11th January, 2022.

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

Present: Councillor J.W. Thomas (Chair), P. Drake (Vice-Chair), J. Aviet, J.E. Charles, R. Crowley, V.P. Driscoll, O. Griffiths, K.F. McCaffer, M.J.G. Morgan, J.M. Norman, R. Nugent-Finn, S.T. William and M.R. Wilkinson.

718 APOLOGY FOR ABSENCE –

This was received from Councillor A. Moore.

719 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 16th December, 2021 be approved as a correct record.

720 DECLARATIONS OF INTEREST –

No declarations of interest were received.

721 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 items of business on the grounds that they involve 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.

722 DISCIPLINARY MATTER – W (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

Committee was asked to determine whether W was a fit and proper person to hold Vale of Glamorgan Hackney Carriage and Private Hire Vehicle Driver Licences. W was present in support of the application and was accompanied by his trade union representative.

The Licensing Team Manager summarised the report which provided detail regarding three SP30 speeding offences since September 2019 which had resulted in W's License being endorsed with a total of 9 points, and W's failure to notify the Authority of these offences at the time they had occurred. Evidence pertaining to these matters, including correspondence between W and the Authority, was attached at appendices A-C of the report.

No.

The report also provided detail of a complaint made by two members of staff at Cardiff Airport Car Park regarding W's conduct during an incident in October 2021. Statements from the members of staff and W were attached at appendices D-F of the report.

Following the Officer's presentation of the report, the Chair invited W and his trade union representative to address Committee in order to make verbal representations regarding the events described in the report and provide mitigation. As part of these representations the trade union representative, with the Chair's permission, read to Members the contents of a supporting letter that had been provided by a company which contracted W for school transport arrangements. The letter highlighted the excellent relationship W had established with the pupils he transported and noted the shortage of suitable drivers for this work in the Vale of Glamorgan at present. The letter had not been received by W with sufficient time to circulate to Committee prior to the meeting.

Members of the Committee subsequently questioned W in relation to the content of his representation and the report and sought clarity on a number of current and historical matters. Following this, W, his representative and the Licensing Team Manager disconnected from and vacated the meeting, and the Committee deliberated the matter in private.

Committee, having considered the report and evidence presented and having taken into account all representations

RESOLVED –

- (1) T H A T W was considered a fit and proper person to continue to hold Vale of Glamorgan Hackney Carriage and Private Hire Vehicle Driver Licences.
- (2) T H A T W receive a final written warning in light of the Committee's concerns regarding his recent and historical motoring convictions and his conduct as a driver.

Reasons for decisions

- (1) To ensure decisions of the Licensing Authority were consistent with the adopted guidance on determining the suitability of applicants and licensees in the hackney and private hire trades.
- (2) To ensure that W was reminded of the standards the Vale of Glamorgan expects of its licensees and of his responsibility to abide by all conditions subject to the terms of his licences. Members were satisfied that an altercation with the complainants at the airport had taken place, which was not conduct befitting of a licenced driver. Members were similarly concerned with the number of points that W had accrued from driving in excess of the speed limit within a relatively short period of time and wanted to impress upon him the need to be extremely vigilant when driving in the future