

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**LICENSING COMMITTEE**

Minutes of the meeting held at the County Borough Council Offices, The Pavilions, Clydach Vale on Tuesday, 3rd May 2011 at 5 p.m.

PRESENT

County Borough Councillor E. Jenkins – in the Chair

County Borough Councillors

(Mrs) T. A. Bates	(Mrs) S. J. Jones
M. Burtonwood	(Mrs) C. Leyshon
W. J. Daniel	R. B. McDonald
A. L. Davies MBE	K. A. Privett
H. E. Davies	M. Rea
A. S. Fox	

Officers in Attendance

Mr. P. J. Mee – Service Director, Public Health & Protection
Mrs M. D. Williams – Licensing Manager
Mrs R. Smith - Solicitor

85 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors C. Jones, S. Lloyd and E. A. Walters.

86 DECLARATION OF INTEREST

There were no declarations of personal interests in matters pertaining to the agenda.

87 HUMAN RIGHTS ACT 1998 AND CRIME AND DISORDER ACT

RESOLVED to note that when Members determine the licensing and registration matters before them, they have a duty not to act in a manner that is incompatible with the convention on Human Rights and the Crime and Disorder Act.

88 MINUTES

RESOLVED to approve as accurate record, the minutes of the meeting of the Licensing Committee held on 22 March 2011

REPORT OF THE SERVICE DIRECTOR PUBLIC HEALTH AND PROTECTION

89 EXTENSION OF STREET TRADING PROVISIONS

The Service Director, Public Health & Protection outlined the purpose of the report which is to gain Members approval on the adoption of further provisions to facilitate the control of street trading. He explained that consistent and substantiated complaints have highlighted two areas of concern, Porth County Community School, Cemetery Road, Porth and Treorchy Comprehensive School, Station Road, Treorchy and he highlighted the process by which street trading on the adopted highways within 500m of the boundary of each school would be prohibited.

The Service Director, Public Health & Protection highlighted the importance of producing a comprehensive list of streets (there followed a definition of 'street') situated within the required 500 metres of the boundary of each school prior to the second stage of the process which is to publish the draft resolution. At this point in the proceedings an additional highway was nominated by the local Member (who was in attendance for consideration of this item)

Concern was raised as to the remaining 17 schools within Rhondda-Cynon-Taf County Borough Council and whether the same consideration regarding street trading provisions would be given to them. Following discussions and upon the matter being put to a vote the following motion was not adopted:-

'To defer determination of the report to consider the remaining 17 schools within Rhondda-Cynon-Taf '

Members of the Committee further considered the report and it was **RESOLVED:-**

1. To accept the proposals to extend current street trading provisions in Pontypridd town centre to introduce prohibition zones for the control of street trading within a 500m radius of Porth County Community School, Cemetery Road, Porth and Treorchy Comprehensive School, Station Road, Treorchy incorporating the streets detailed in this report;
2. That the Service Director Public Health & Protection, in consultation with the Service Director of Street Care and the Service Director of Education, be authorised to prepare and publish the required draft resolution, formally designating streets within the County Borough to which the provisions will apply ;
3. That the Service Director Public Health & Protection consult with relevant traders bodies and Schools on the basis of the draft

resolution. The results of such consultation, together with any representations arising from the statutory public consultation be reported back to a future meeting of this Committee for consideration.

90 LICENCES AND REGISTRATIONS ISSUED UNDER THE PROVISION OF DELEGATED POWERS

In his report, the Service Director, Public Health and Protection presented Members with details of licences and registrations issued during the period 5th March to 15th April 2011 and it was **RESOLVED** to note the report.

91 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act 1972 (as amended) for the following items of business on the grounds that they involve the likely disclosure of information as defined in paragraph 13 of Schedule 12A of the Act, namely, information relating to a particular individual. Transparency in the conduct of Local Authority business is desirable; however personal data relating to the conduct and capabilities of individuals will be discussed and considered. Consequently, it is considered the public interest in maintaining the exemption outweighs the public interest in disclosing information.

REPORTS OF THE SERVICE DIRECTOR, PUBLIC HEALTH AND PROTECTION CONTAINING EXEMPT INFORMATION

92 APPLICATIONS FOR LICENSING AND/OR REGISTRATION

In his report, the Service Director, Public Health and Protection set out details of the applications received for Hackney Carriage/Private Hire Vehicle Driver Licences, which required consideration by the Committee.

In accordance with adopted procedures, the Committee received the following applicants each of whom confirmed their personal details (with the exception of Mr E C B of Cilfynydd, Pontypridd who wished to have it recorded that his middle name was incorrect in the report).

The following applicants confirmed the offences recorded against them were correct and outlined to Members the circumstances surrounding their individual convictions:-

- 1) Mr E C B of Cilfynydd, Pontypridd
- 2) Mr M D C of Rhydyfelin, Pontypridd
- 3) Mr J H of Bristol

Following consideration of the applications before them, Members **RESOLVED** –

- (1) To approve the application of Mr. EC B of Cilfynydd, Pontypridd subject to the imposition of the standard terms and conditions and a stern warning letter being placed on record.

(**Note:** Prior to the applicant leaving the meeting, the Chairman emphasised the need to have due regard to the warning issued by the Committee as failure to do so may affect determination of future applications)

- (2) To approve the application of Mr M D C of Rhydyfelin, Pontypridd subject to the imposition of the standard terms and conditions
- (3) To refuse the application of Mr J H of Bristol following consideration of his conviction relating to driving without insurance, as set out at 3.1 of the report, as Members were of the opinion that insufficient time had elapsed (less than 3 years) since the conviction and the restoration of the DVLA driving licence (in accordance with Policy Number 17.1 of the Guidance).

93 SUMMARY OF APPEAL/PROSECUTION DATA

In his report, the Service Director, Public Health and Protection provided Members with a summary of appeal information relative to the licensing and registration function during the period 5th March 2011 to the 15th April 2011 and it was **RESOLVED** to note the information.

94 SUMMARY OF LICENCES ISSUED UNDER THE PROVISION OF DELEGATED AUTHORITY

In his report, the Service Director, Public Health and Protection provided Members with a summary of licences issued under delegated powers during the period 5th March 2011 to the 15th April 2011 and it was **RESOLVED** to note the information.

**E. JENKINS
CHAIRMAN**

The meeting terminated at 6.15pm