

# Agenda



## Taxi Panel

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Date: Tuesday, 1 November 2016

Time: 10.00 am

Venue: Committee Room 1 - Civic Centre

To: Councillors C Suller (Chair), J Guy (Deputy Chair), M Cornelious, D Davies, C Ferris, E Garland, M Rahman, H Thomas, D Harvey and C Jenkins

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| Item | Wards Affected                                                                                                                                                                                                                                                                                                                                                                    |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1    | <u>Apologies for Absence</u>                                                                                                                                                                                                                                                                                                                                                      |
| a    | <u>Agenda CYM</u> (Pages 3 - 4)                                                                                                                                                                                                                                                                                                                                                   |
| 2    | <u>Declarations of Interest</u>                                                                                                                                                                                                                                                                                                                                                   |
| 3    | <u>Taxi Licensing Code of Practice</u> (Pages 5 - 6)                                                                                                                                                                                                                                                                                                                              |
| 4    | <b><u>Part 2 Exempt or Confidential Items</u></b><br><b>To consider whether to exclude the Press and Public during consideration of the following item on the grounds that it will involve the likely disclosure of exempt or confidential information as defined in schedule 12A of the Local Government Act 1972 and exclusion outweighs the public interest in disclosure.</b> |
| 5    | <u>Private Hire/Hackney Carriage Licences</u>                                                                                                                                                                                                                                                                                                                                     |
| a    | <u>To Consider the Private Hire Drivers Licence in respect of AMS</u><br>(Pages 7 - 18)                                                                                                                                                                                                                                                                                           |
| b    | <u>To Consider the Private Hire and Hackney Carriage Licence in respect of FN</u> (Pages 19 - 26)                                                                                                                                                                                                                                                                                 |
| c    | <u>To Consider the Private Hire and Hackney Carriage Licence in respect of SM</u> (Pages 27 - 34)                                                                                                                                                                                                                                                                                 |
| d    | <u>To Consider the Private Hire Drivers Licence in respect of BCD</u><br>(Pages 35 - 40)                                                                                                                                                                                                                                                                                          |

**NB: Would members and officers please take any paper copies of the agenda with them after the meeting and please not leave unattended.**

Contact: Anne Jenkins (Democratic Services Officer)

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Date of Issue: 25 October 2016

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# Agenda



## Panel Trwyddedu Tacsï

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Dyddiad: Dydd Mawrth, 1 Tachwedd 2016

Amser: 10am

Lleoliad: Ystafell Bwyllgor 1 - Y Ganolfan Ddinesig

At sylw: Cynghorwyr C Suller (Cadeirydd), J Guy (Dirprwy Cadeirydd), M Cornelious, D Davies, C Ferris, E Garland, C Jenkins, M Rahman, H Thomas and D Harvey

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### Eitem

### Wardiau a Effeithir

#### Rhan 1

1 Panel Trwyddedu Tacsï Cod Ymarfer

2 Ymddiheuriadau dros Absenoldeb

3 Datganiadau Diddordeb

4 **Rhan 2 Eitemau Cyfrinachol neu Eithriad**

**I ystyried a ddylid gwahardd y Wasg a'r Cyhoedd wrth ystyried yr eitem ganlynol, oherwydd y bydd yn debygol o olygu datgelu gwybodaeth eithriadig neu gyfrinachol fel y diffinnir yn Atodlen 12 A, Deddf Llywodraeth Leol 1972 a'r gwaharddiad yn gorbwyso budd y cyhoedd mewn datgeliad**

5 Llogi Preifat / Trwyddedau Gyrwyr Cerbydau Hacni

I ystyried y ceisiadau canlynol:

- (a) Ystyried diddymiad Trwydded Gyrwyr Llogi Preifat yn ymwneud â AMS
- (b) Ystyried diddymiad Trwydded Gyrwyr Llogi Preifat /Cerbydau Hacni yn ymwneud â FN
- (c) Ystyried diddymiad Trwydded Gyrwyr Llogi Preifat /Cerbydau Hacni yn ymwneud â SM
- (d) Ystyried diddymiad Trwydded Gyrwyr Llogi Preifat yn ymwneud â BCD

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## Conduct and Procedure of Licensing Panel

### Membership and Appointment of Chairperson

Two panels of six members are established for this purpose. Each Panel is established in proportion to the full committee and the quorum is three. The Chair will be elected on the day by a simple majority vote.

### Attendances and withdrawals

Any elected members who arrive after the consideration of any application has commenced should withdraw and take no part in the consideration of that specific application.

Any member who leaves the meeting at any point during consideration of any application should withdraw and take no part in the consideration of that specific application

### Procedure

Applications will be considered in the following structure:

- a) First there will be a presentation about the application / report by a Licensing Officer alongside officer recommendations.
- b) The Chair will invite the Applicant(s)/person(s) called to attend or their representative to speak about their application/the matter under consideration if they so wish
- c) The Chair will then provide an opportunity for members of the Panel to comment or ask questions of the Applicant/person(s) called to attend Licensing Officer or Legal Officer or of any other officer in attendance.
- d) Questions must be relevant to the application being considered by the Panel
- e) When the Chair considers all members and the applicant(s)/person(s) called to attend have had an opportunity to contribute he or she will ask the applicant to leave whilst the Panel retires to deliberate.
- f) When the Panel retires, the Legal Officer(s) will remain in order to provide legal advice as and when required and to ensure that the decision schedule reflects the decision taken and the reasons for the decision. The democratic administrator will assist the Panel by recording a written note of the debate and of the vote taken.
- g) Other officers or the applicant(s)/person(s) called to attend may be called to provide points of explanation if so required and the full meeting would reconvene for such purposes.
- h) When the Panel, in retirement, has completed its deliberations, the Chair will ask for a motion to be moved, seconded and a vote taken

- i) The matter under consideration will be determined by a simple majority vote by a show of hands. All members of the Panel, including the Chair, should cast a vote either in favour or against the motion before the Panel. As all members of the Panel are performing a quasi-judicial role, then it would not generally be appropriate for members to abstain.
- j) If an equal number of votes for and against are recorded, the Chair will have a second or casting vote. The Chair can only use a second or casting vote if he or she has participated in the original vote. In the event of there being no clear majority and if the Chair is not in a position to use a casting vote then the matter must be reconsidered until a majority vote is taken. If no majority vote occurs then the matter has to be re-listed for consideration before an entirely fresh panel.
- k) Following the vote, the matter is resolved. There must be no further discussion on the matter.
- l) The applicant(s) person(s) called to attend and all other parties attending will be invited back and the meeting reconvened. The applicant(s)/persons called to attend will be informed of the decision and the reasons for the decision which has been taken. The applicant(s)/person(s) called to attend will be informed that the reasons for the decision will be forwarded to him or her in writing and will also be informed of the right of appeal.
- m) The Senior Democratic Services Officer will provide a record of the decision and the reasons for the decision
- n) The Licensing Officer shall write to the applicant(s)/person(s) called to attend informing him, her or them of the decision and of the reason for the decision. The letter will also refer to the right of appeal.

By virtue of paragraph(s) 12 of Part 1 of Schedule 12A of the Local Government Act 1972.

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