

PUBLIC PROTECTION LICENSING COMMITTEE

Minutes of a Remote meeting held on 13th May, 2025.

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

The recording of the meeting is available [here](#).

Present: Councillor P. Drake (Chair); Councillor J.M. Norman (Vice-Chair); Councillors G. Bruce, L. Burnett; V.P. Driscoll; C.P. Franks, E. Goodjohn, H.C. Hamilton; W.A. Hennessy, N.B. Marshallsea; M.J.G. Morgan; R. Sivagnanam and S.T. William.

14. ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

15. APOLOGY FOR ABSENCE –

This was received from Councillor M.R. Wilkinson.

16. DECLARATIONS OF INTEREST –

Councillors P. Drake, M. Morgan and H. Hamilton declared an interest in Agenda Item 3 – Application to register land at Glebe Fields, South Road, Sully as a town or village green under section 15 of the Commons Act 2006 – because the land was managed by the Welsh Church Act Estate Committee. The Councillors were all members of the Welsh Church Act Estate Committee, with Councillor Drake being its Vice-Chair. These Councillors had therefore been advised by the relevant officers to declare an interest and leave the meeting for Item 3 as a precautionary measure, and did so.

17. APPLICATION TO REGISTER LAND AT GLEBE FIELDS, SOUTH ROAD, SULLY AS A TOWN OR VILLAGE GREEN UNDER SECTION 15 OF THE COMMONS ACT 2006 (MO/ HLDS) –

The report was presented by the Senior Lawyer, who advised that The Vale of Glamorgan Council was the Commons Registration Authority (“the Commons Registration Authority”) for its administrative area for the purpose of exercising functions under the Commons Act 2006 (“the 2006 Act”). This function was the responsibility of Council and had been delegated to this Committee under the Council’s Constitution.

In December 2021, an application was received by the Commons Registration Authority to register land at South Road, Sully commonly referred to locally as the Glebe Fields ("the Land") as town or village green ("the Application"). The Application was made by the Save Sully and Lavernock Group ("the Applicant") and the Land to which the Application related was owned by the Vale of Glamorgan Council but held in trust for the Welsh Church Act Estate.

Due to the fact that the Land was managed and administered by the Welsh Church Act Estate it was recommended that a non-statutory public inquiry be convened to consider the Application.

Following their presentation of the report, the Senior Lawyer advised the following, in response to questions from the Committee:

- In order to maintain independence and impartiality of the public inquiry, a number of options for independent legal counsel would be approached and selected from to chair the inquiry. The Chair would be an expert in the field and would understand their requirement for impartiality in making their recommendations to the Committee.

Committee Members expressed their agreement that the case should be dealt with by an independent expert and, having fully considered the matter it was subsequently:

RESOLVED –

(1) T H A T a non-statutory public inquiry be convened to consider the Application.

(2) T H A T the Monitoring Officer/Head of Legal and Democratic Services be granted delegated power to appoint a legally qualified and suitably experienced independent chairperson to hold a non-statutory public inquiry to consider the Application.

(3) T H A T the cost of appointing counsel to chair the non-statutory public inquiry, and any costs ancillary thereto, be met from Legal Services budget.

(4) T H A T at the conclusion of the non-statutory public inquiry, the chairperson shall be requested to produce a report for the Commons Registration Authority which considers the evidence submitted in support and against the Application together with the evidence heard at the inquiry and to provide a recommendation to this Committee whether or not to register the Land as Town or Village Green under the Act.

(5) T H A T a further report be presented to this Committee upon receipt of the Chairperson's report following the non-statutory public inquiry in order to determine the Application.

Reason for decisions

(1-5) In order for the Council as Commons Registration Authority to discharge and adopt a fair and transparent procedure to determine the Application in accordance with the relevant legislation.

18. 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 item of business on the grounds that it involves 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.

19. DISCIPLINARY FOR A CURRENT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER – M. (DEH) (EXEMPT INFORMATION PARAGRAPHS – 12, 13 AND 14) –

The report was presented by the Licensing Team Manager. Committee was requested to determine whether an existing driver – Driver M. – remained a fit and proper person to hold a license, after failing to notify the Licensing Authority of motoring convictions received in accordance with the Hackney Carriage and Private Hire Driver Conditions, as well as not declaring these convictions on their application to renew their Hackney Carriage and Private Hire Driver's Licence.

Driver M. attended the meeting, in order to make their verbal representations to Committee, regarding these matters.

Committee discussed the circumstances around the non-disclosure matters and also the assistance available to drivers when completing the necessary paperwork required as a condition of licenses and their renewal.

In private deliberation, the decision on whether Driver M. remained a fit and proper person to hold a Taxi license was put to a vote, which was carried in favour of Driver M. retaining their license, and Committee subsequently:

RESOLVED – T H A T the Committee was satisfied that the applicant remained a fit and proper person to hold the licence, but that a further warning be issued to the driver in relation to the requirement to disclose convictions in accordance with the driver conditions, as well as on renewal application forms. Also that the driver be advised that assistance should be sought formally, rather than by attending the office on a 'drop in' basis.

Reason for decision

Having regard to the information provided in the report and at the meeting, and to ensure that Driver M. understands the requirements of their license, and the correct way to access assistance from officers, if needed.