

Public Document Pack

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



Annwyl Cyngorydd,

IS-BWYLLGOR TRWYDDEDU (A)

Cynhelir Cyfarfod Is-Bwyllgor Trwyddedu (A) yn Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB ar **Dydd Mawrth, 15 Ionawr 2019 am 10:00.**

AGENDA

1. Ymddiheuriadau am absenoldeb
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. Cymeradwyaeth Cofnodion 3 - 6
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 27/11/2018
4. Cais i Drwyddedu Cerbyd Hurio Preifat 7 - 10
5. Cais i Drwyddedu Cerbyd Hurio Preifat 11 - 14
6. Cais i Drwyddedu Cerbyd Hurio Preifat 15 - 18
7. Cais i Drwyddedu Cerbyd Hurio Preifat 19 - 22
8. Cais i Drwyddedu Cerbyd Hacnai 23 - 26
9. Materion Brys
I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (pharagraff 4) o'r Rheolau Trefn y Cyngor yn y Cyfansoddiad.
10. Gwahardd y Cyhoedd

Ffôn/Tel: 01656 643643

Facs/Fax: 01656 668126

Ebost/Email: talktous@bridgend.gov.uk

Negeseuon SMS/ SMS Messaging: 07581 157014

[Twitter@bridgendCBC](https://twitter.com/bridgendCBC)

Gwefan/Website: www.bridgend.gov.uk

Cyfnwidi testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

Text relay: Put 18001 before any of our phone numbers for the text relay service

Rydym yn croesawu gohebiaeth yn y Gymraeg. Rhowch wybod i ni os yw eich dewis iaith yw'r Gymraeg

We welcome correspondence in Welsh. Please let us know if your language choice is Welsh

Nid oedd y cofnodion ac adroddiadau sy'n ymwneud â'r eitemau canlynol yn cael eu cyhoeddi, gan fod eu bod yn cynnwys gwybodaeth eithriedig fel y'i diffinnir ym Mharagraffau 14 a 16 o Ran 4 a Pharagraff 21 o Ran 5, Atodlen 12A, Deddf Llywodraeth Leol 1972, fel y'i newidiwyd gan Orchymyn Llywodraeth Leol (Cymru) 2007 (Mynediad at Wybodaeth) (Amrywio).

Os, yn dilyn cymhwyso'r prawf budd y cyhoedd yn yr Is-Bwyllgor yn penderfynu yn unol â'r Ddeddf i ystyried yr eitemau hyn yn breifat, bydd y cyhoedd yn cael eu gwahardd o'r cyfarfod yn ystod ystyriaeth o'r fath.

- | | | |
|-----|---|---------|
| 11. | <u>Cymeradwyaeth Cofnodion wedi'u Eithrio</u>
I dderbyn am gymeradwyaeth y Cofnodion eithrio cyfarfod y 27/11/2018 | 27 - 30 |
| 12. | <u>Ceisiadau i Adnewyddu Trwyddedau</u> | 31 - 34 |
| 13. | <u>Ceisiadau i Adnewyddu Trwyddedau</u> | 35 - 38 |
| 14. | <u>Ceisiadau i Adnewyddu Trwyddedau</u> | 39 - 42 |

Yn ddiffuant

K Watson

Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol

Dosbarthiad:

Cynghowrwy

SE Baldwin

TH Beedle

RJ Collins

Cynghorwyr

DRW Lewis

DG Owen

AA Pucella

Cynghorwyr

JE Williams

IS-BWYLLGOR TRWYDDEDU (A) - DYDD MAWRTH, 27 TACHWEDD 2018

COFNODION CYFARFOD Y IS-BWYLLGOR TRWYDDEDU (A) A GYNHALIWDYD YN
COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB DYDD
MAWRTH, 27 TACHWEDD 2018, AM 10:00

Presennol

Y Cynghorydd DRW Lewis – Cadeirydd

SE Baldwin

TH Beedle

AA Pucella

JE Williams

Ymddiheuriadau am Absenoldeb

RJ Collins

Swyddogion:

Andrea Lee

Uwch Cyfreithiwr

Michael Pitman

Prentys Busnes Gweinyddol Gwasanaethau Democraidd

Yvonne Witchell

Rheolydd Tîm Trwyddedu

146. YMDDIHEURIADAU AM ABSENOLDEB

Y Cynghorydd RJ Collins

147. DATGANIADAU O FUDDIANT

Dim

148. CYMERADWYAETH COFNODION

PENDERFYNWYD: Cymeradwyo cofnodion Is-bwyllgor (A) Deddf Drwyddedu 2003 dyddiedig 12/07/2018 a chofnodion 25/09/2018 fel cofnod gwir a chywir.

149. CAIS I DRWYDDEDU CERBYD HACNAI

Cyflwynodd Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddio adroddiad, oedd yn gofyn i'r Is-bwyllgor ystyried cais i roi trwydded ar gyfer Cerbyd Hacni.

Gwnaed y cais gan Ivor Preece, i drwyddedu Mercedes Benz E Class, rhif cofrestru'r cerbyd CF16 XGG, fel cerbyd i eistedd 4 person. Roedd perchennog blaenorol i'r cerbyd ac fe'i cofrestrwyd i ddechrau gan y DVLA ar 29 Ebrill 2016.

Gohiriwyd y cyfarfod am amser byr er mwyn i'r Aelodau gael archwilio'r cerbyd.

Ar ôl ailgychwyn y cyfarfod, dywedodd Rheolwr y Tîm (Trwyddedu) wrth yr aelodau mai 90,912 oedd nifer milltiroedd cyfredol y cerbyd. Dywedodd fod y cerbyd yn syrthio y tu allan i'r Polisi Cerbydau Hacni a gymeradwywyd gan y Pwyllgor Trwyddedu. Nid oedd mynediad yn y cerbyd i gadair olwyn, ond roedd canllawiau polisi penodol gyda golwg ar drwyddedu Cerbydau am y tro cyntaf oedd yn syrthio y tu allan i ganllawiau'r polisi a amlinellwyd ym mharagraff 4.4 yr adroddiad.

Er gwybodaeth i'r aelodau, darparwyd hanes gwasanaethau gyda'r nifer canlynol o filltiroedd ar gyfer pob un:

01 Awst 2016

16,665

IS-BWYLLGOR TRWYDDEDU (A) - DYDD MAWRTH, 27 TACHWEDD 2018

29 Rhagfyr 2016	32,640
14 Awst 2017	64,286
22 Tachwedd 2017	79,380

PENDERFYNWYD: Bu'r Is-bwyllgor yn ystyried y cais i drwyddedu Cerbyd Rhif Cofrestru CF16 XGG fel Cerbyd Hacni.

Sylwodd yr Aelodau fod y cais yn syrthio y tu allan i'r Polisi Trwyddedu ym mharagraff 2.1 oherwydd oedran y cerbyd.

Nododd yr Aelodau ymhellach fod y Polisi ym mharagraff 2.2 yn caniatáu iddo gael ei lacio mewn amgylchiadau eithriadol, ac roedd enghreifftiau o'r rhain wedi eu disgrifio ym mharagraff 2.4 y Polisi.

Ar ôl archwilio'r cerbyd, teimlai'r Is-bwyllgor fod y cerbyd yn eithriadol o ran ei ansawdd y tu mewn a'r tu allan a'i nodweddion diogelwch. Felly caniatodd yr Is-bwyllgor y drwydded.

150. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddio adroddiad, oedd yn gofyn i'r Is-bwyllgor ystyried cais i roi trwydded ar gyfer Cerbyd Hurio Preifat.

Gwnaed y cais gan Joanna Ryan, i drwyddedu Mercedes Vito, rhif cofrestru'r cerbyd VX14 XEB, fel cerbyd i eistedd 8 person. Roedd perchennog blaenorol i'r cerbyd ac fe'i cofrestrwyd i ddechrau gan y DVLA ar 26 Mawrth 2014.

Gohiriwyd y cyfarfod am amser byr er mwyn i'r Aelodau gael archwilio'r cerbyd.

Er gwybodaeth i'r aelodau, darparwyd hanes gwasanaeth dyddiedig 17 Hydref 2018, ac MOT ar 14 Hydref 2018. Edrychodd swyddog gorfodi ar y cerbyd ar 06 Tachwedd 2018 a nifer y milltiroedd yr adeg honno oedd 69,120 a chyflwynwyd y cerbyd mewn cyflwr da heb ddim diffygion gweladwy.

PENDERFYNWYD: Bu'r Is-bwyllgor yn ystyried y cais i drwyddedu Cerbyd Rhif Cofrestru VX14 XEB fel Cerbyd Hurio Preifat.

Sylwodd yr Aelodau fod y cais yn syrthio y tu allan i'r Polisi Trwyddedu ym mharagraff 2.1 oherwydd oedran y cerbyd.

Nododd yr Aelodau ymhellach fod y Polisi ym mharagraff 2.2 yn caniatáu iddo gael ei lacio mewn amgylchiadau eithriadol, ac roedd enghreifftiau o'r rhain wedi eu disgrifio ym mharagraff 2.4 y Polisi.

Ar ôl archwilio'r cerbyd, teimlai'r Is-bwyllgor fod y cerbyd yn eithriadol o ran ei ansawdd y tu mewn a'r tu allan a'i nodweddion diogelwch. Felly caniatodd yr Is-bwyllgor y drwydded.

151. MATERION BRYD

Dim

152. GWAHARDD Y CYHOEDD

PENDERFYNWYD: O dan Adran 100A (4) o Ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywiad) (Cymru) 2007, bod y cyhoedd yn cael eu gwahardd o'r cyfarfod tra byddent yn ystyried yr eitemau busnes canlynol am eu bod yn cynnwys gwybodaeth oedd wedi ei heithrio fel y'i diffiniwyd ym Mharagraff 12 o Ran 4 a/neu Baragraff 21 o Ran 5 o Atodlen 12A y Ddeddf.

Yn dilyn cymhwysio prawf lles y cyhoedd, penderfynwyd, yn unol â'r Ddeddf y cyfeiriwyd ati uchod, ystyried yr eitemau canlynol yn breifat, gyda'r cyhoedd wedi eu gwahardd o'r cyfarfod, gan yr ystyrid yn yr holl amgylchiadau yn ymwneud â'r eitemau, fod lles y cyhoedd mewn cynnal yr eithriad yn gorbwysu lles y cyhoedd mewn datgelu'r wybodaeth, am y byddai'r wybodaeth yn niweidiol i'r ymgeiswyr a grybwyllwyd felly.

- 153. CYMERADWYAETH COFNODION WEDI'U EITHRIO
- 154. CEISIADAU I GYMERADWYO TRWYDDEDAU
- 155. CEISIADAU I ADNEWYDDU TRWYDDEDAU

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

15 JANUARY 2019

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

1. Purpose of report

- 1.1 The purpose of this report is to ask the sub-committee to consider an application to grant a licence for a private hire vehicle.

2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

3. Background

- 3.1 It is the duty of the Local Authority to determine applications made under the Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847. Applications which fall outside the policy guidelines are referred to a Licensing Sub-Committee for determination.

4. Current situation/proposal

- 4.1 Application is made by Richard Singleton, to licence a Mercedes V Class vehicle registration number CV18 HTK as a private hire vehicle to seat 7 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 30 May 2018.

- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible, but there are specific policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, which are set out below. For Members' information there is no service history on this vehicle as the requirement for a service has not yet been reached.

4.4 Policy Guidelines

The vehicle policy applicable to this application was approved by the Licensing Committee on 10 March 2008. The relevant extract from the policy is as follows:

“(Policy 2.1) Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14 days between the first registration and transfer to the applicant’s name. Applications will normally be dealt with under the Scheme of Delegation to Officers.

(Policy 2.2) Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances. The general guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:

(Policy 2.2.5) A relaxation of the policy will also be considered in exceptional circumstances for applications relating to the first licensing of private hire vehicles. The Council does not seek to limit or define a particular vehicle which is suitable but will adhere to the minimum standards for the size of seats and legroom etc which are available on request. Irrespective of the age of the vehicle it must be capable of satisfying the general licensing conditions and be fit for purpose as a private hire vehicle in terms of passenger safety and comfort. Each application will be reported to the Licensing Sub-Committee for determination on its merits having regard to the following criteria:

- That the vehicle presented is in an exceptional condition in relation to its exterior and interior appearance with no evidence of defects, chips, marks or other evidence of unreasonable wear and tear or damage.*
- That the vehicle presented offers an exceptional standard of safety and comfort for passengers in terms of features offered for example ABS, passenger airbags and ability to meet current requirements on emissions testing.*
- That the application includes evidence that the vehicle has been serviced at the intervals recommended by the manufacturer and at an approved garage. Other relevant documentations such as an MOT certificate should also be provided.*

(Policy 2.4) All applicants should be satisfied that they can meet all current policy requirements before submitting an application and are advised that they submit an application which falls outside the above policy guidelines at their own risk. Acceptance of an application does not infer that it will be granted. Applicants are strongly advised not to purchase a vehicle or make any other financial commitment until the application is determined.”

5. Effect upon policy framework and procedure rules

5.1 None

6. Equality Impact Assessment

6.1 This vehicle is not for wheelchair use. There are no other implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 None for the authority

9. Recommendation

9.1 The Sub-Committee is asked to determine the application having regard to the information contained within this report.

Kelly Watson
HEAD OF LEGAL AND REGULATORY SERVICES

Date 9 January 2019

Yvonne Witchell
Team Manager Licensing

Telephone: (01656) 643643

E-mail: Yvonne.Witchell@bridgend.gov.uk

Postal Address Civic Offices, Angel Street, Bridgend, CF31 4WB

Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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BRIDGEND COUNTY BOROUGH COUNCIL

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15 JANUARY 2019

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- 2.1 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

3. Background

- 3.1 It is the duty of the Local Authority to determine applications made under the Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847. Applications which fall outside the policy guidelines are referred to a Licensing Sub-Committee for determination.

4. Current situation/proposal

- 4.1 Application is made by Peyton Travel, to licence a Dacia Logan vehicle registration number CA65 OHE as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 31 December 2015.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible, but there are specific policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, which are set out below. For Members' information a service history has been provided dated 8 August 2017 with the mileage recorded at 11966.

4.4 Policy Guidelines

The vehicle policy applicable to this application was approved by the Licensing Committee on 10 March 2008. The relevant extract from the policy is as follows:

“(Policy 2.1) Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14

days between the first registration and transfer to the applicant's name. Applications will normally be dealt with under the Scheme of Delegation to Officers.

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5.1 None

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4. Current situation/proposal

- 4.1 Application is made by Peyton Travel, to licence a Dacia Logan Laureate vehicle registration number CU66 EHE as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 29 September 2016.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible, but there are specific policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, which are set out below. For Members' information a service history has been provided dated 15 August 2017 with the mileage recorded at 13551 and 10 June 2018 with mileage at 23972.

4.4 Policy Guidelines

The vehicle policy applicable to this application was approved by the Licensing Committee on 10 March 2008. The relevant extract from the policy is as follows:

“(Policy 2.1) Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14

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6.1 This vehicle is not for wheelchair use. There are no other implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation.

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7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

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- 3.1 It is the duty of the Local Authority to determine applications made under the Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847. Applications which fall outside the policy guidelines are referred to a Licensing Sub-Committee for determination.

4. Current situation/proposal

- 4.1 Application is made by Peyton Travel Limited, to licence a Ford Transit Custom vehicle registration number WV14 OBZ as a private hire vehicle to seat 8 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 10 March 2014.

- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is wheelchair accessible, but there are specific policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, which are set out below. For Members' information there is service history on this vehicle for 21 November 2016 with the mileage recorded at 31559 and 18 January 2018 with mileage recorded at 60899. The application includes a Certificate of Compliance and has been examined and classified as a passenger carrying wheelchair accessible vehicle. An enforcement officer viewed the vehicle on 14 December 2018 and the vehicle was presented in good condition with the mileage at 75080.

4.4 Policy Guidelines

The vehicle policy applicable to this application was approved by the Licensing Committee on 10 March 2008. The relevant extract from the policy is as follows:

“(Policy 2.1) Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no

greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14 days between the first registration and transfer to the applicant's name. Applications will normally be dealt with under the Scheme of Delegation to Officers.

(Policy 2.2) Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances. The general guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:

(Policy 2.2.5) A relaxation of the policy will also be considered in exceptional circumstances for applications relating to the first licensing of private hire vehicles. The Council does not seek to limit or define a particular vehicle which is suitable but will adhere to the minimum standards for the size of seats and legroom etc which are available on request. Irrespective of the age of the vehicle it must be capable of satisfying the general licensing conditions and be fit for purpose as a private hire vehicle in terms of passenger safety and comfort. Each application will be reported to the Licensing Sub-Committee for determination on its merits having regard to the following criteria:

- *That the vehicle presented is in an exceptional condition in relation to its exterior and interior appearance with no evidence of defects, chips, marks or other evidence of unreasonable wear and tear or damage.*
- *That the vehicle presented offers an exceptional standard of safety and comfort for passengers in terms of features offered for example ABS, passenger airbags and ability to meet current requirements on emissions testing.*
- *That the application includes evidence that the vehicle has been serviced at the intervals recommended by the manufacturer and at an approved garage. Other relevant documentations such as an MOT certificate should also be provided.*

(Policy 2.4) All applicants should be satisfied that they can meet all current policy requirements before submitting an application and are advised that they submit an application which falls outside the above policy guidelines at their own risk. Acceptance of an application does not infer that it will be granted. Applicants are strongly advised not to purchase a vehicle or make any other financial commitment until the application is determined."

5. Effect upon policy framework and procedure rules

5.1 None

6. Equality Impact Assessment

6.1 The vehicle is wheelchair accessible. There are no other implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 None for the authority

9. Recommendation

9.1 The Sub-Committee is asked to determine the application having regard to the information contained within this report.

Kelly Watson
HEAD OF LEGAL AND REGULATORY SERVICES

Date 9 January 2019

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Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

15 JANUARY 2019

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

1. Purpose of report

- 1.1 The purpose of this report is to ask the sub-committee to consider an application to grant a licence for a hackney carriage vehicle. The application falls outside the Council's policy guidelines.

2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

3. Background

- 3.1 It is the duty of the Local Authority to determine applications made under the Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847. Applications which fall outside the policy guidelines are referred to a Licensing Sub-Committee for determination.

4. Current situation/proposal

- 4.1 Application is made by James Bickerstaff, to licence a Nissan NV300 vehicle registration number WD18 XTJ as a hackney carriage vehicle to seat 8 persons. The vehicle is not wheelchair accessible.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA in 29 August 2018.
- 4.3 The application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee.
- 4.4 For Members' information there is no service history or supporting documentation on this vehicle as the requirement for a service has not yet been reached. An enforcement officer viewed the vehicle on 18 December 2018 and the vehicle was presented in good condition with the mileage at 429 miles.

4.5 Policy Guidelines

The vehicle policy applicable to this application was approved by the Licensing Committee on 10 March 2008. The relevant extract from the policy is as follows:

“(Policy 2.1) Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14

days between the first registration and transfer to the applicant's name. Applications will normally be dealt with under the Scheme of Delegation to Officers.

(Policy 2.2) Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances.

(Policy 2.4) All applicants should be satisfied that they can meet all current policy requirements before submitting an application and are advised that they submit an application which falls outside the above policy guidelines at their own risk. Acceptance of an application does not infer that it will be granted. Applicants are strongly advised not to purchase a vehicle or make any other financial commitment until the application is determined."

5. Effect upon policy framework and procedure rules

5.1 None

6. Equality Impact Assessment

6.1 This vehicle is not for wheelchair use. There are no other implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 None for the authority

9. Recommendation

9.1 The Sub-Committee is asked to determine the application having regard to the information contained within this report.

Kelly Watson
HEAD OF LEGAL AND REGULATORY SERVICES

Date 9 January 2019

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Background documents

Hackney Carriage Vehicle Application
Hackney Carriage Vehicle Policy Guidelines

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