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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, 30 Gorffennaf 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 - 8
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 04/06/2019 a 11/06/2019
4. Cais i Drwyddedu Cerbyd Hacnai 9 - 10
5. Cais i Drwyddedu Cerbyd Hacnai 11 - 14
6. Cais i Drwyddedu Cerbyd Hurio Preifat 15 - 18
7. Cais i Drwyddedu Cerbyd Hurio Preifat 19 - 22
8. 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.
9. 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.

| | | |
|-----|---|---------|
| 10. | <u>Cymeradwyaeth Cofnodion wedi'u Eithrio</u> | 23 - 28 |
| | I dderbyn am gymeradwyaeth y Cofnodion eithrio cyfarfod y 04/06/2019 a 11/06/2019 | |
| 11. | <u>Ceisiadau i Gymeradwyo Trwyddedau</u> | 29 - 32 |
| 12. | <u>Gwrandawriad Disgyblu ar gyfer Gyrwyr Tacsï Presennol</u> | 33 - 48 |
| 13. | <u>Gwrandawriad Disgyblu ar gyfer Gyrwyr Tacsï Presennol</u> | 49 - 60 |
| 14. | <u>Gwrandawriad Disgyblu ar gyfer Gyrwyr Tacsï Presennol</u> | 61 - 66 |
| 15. | <u>Gwrandawriad Disgyblu ar gyfer Gyrwyr Tacsï Presennol</u> | 67 - 74 |

Yn ddiffuant

K Watson

Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol

Dosbarthiad:

Cynghowrwy

TH Beedle

RJ Collins

MJ Kearns

Cynghorwyr

DRW Lewis

DG Owen

AA Pucella

Cynghorwyr

JE Williams

IS-BWYLLGOR TRWYDDEDU (A) - DYDD MAWRTH, 4 MEHEFIN 2019

COFNODION CYFARFOD Y IS-BWYLLGOR TRWYDDEDU (A) A GYNHALIWYD YN
COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB DYDD
MAWRTH, 4 MEHEFIN 2019, AM 10:00

Presennol

Y Cyngorydd DRW Lewis – Cadeirydd

RJ Collins

MJ Kearn

AA Pucella

JE Williams

Swyddogion:

Ilaria Agostini

Uwch Swyddog Gorfodi Trwyddedu

Mark Galvin

Uwch Swyddog Gwasanaethau Democrataidd - Pwyllgorau

Sharon Jones

Cynorthwy-ydd Trwyddedu

Andrea Lee

Uwch Cyfreithiwr

192. DATGANIADAU O FUDDIANT

Dim.

193. DERBYN Y COFNODION

PENDERFYNWYD: I dderbyn Cofnodion cyfarfod yr Is-Bwyllgor Trwyddedu 'A' a gynhaliwyd ar 7 Mai 2019 fel cofnod gwir a manwl gywir.

194. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd y Pennaeth Gwasanaethau Cyfreithiol a Rheoli adroddiad a oedd yn gofyn i'r Is-Bwyllgor ystyried cais i ganiatáu trwydded am gerbyd hurio preifat.

Nododd yr adroddiad bod y cais yn cael ei gyflwyno gan Peyton Travel Limited, i drwyddedu cerbyd Dacia Logan â'r rhif cofrestru LL66 RZK fel cerbyd hurio preifat â 4 sedd. Roedd y cerbyd yn un ail law ac fe'i cofrestrwyd â'r DVLA ar 30 Tachwedd 2016.

Nid oedd y cais yn bodloni'r Polisi Cerbyd Hurio Preifat a gymeradwywyd gan y Pwyllgor Trwyddedu, am y rhesymau a nodir ym mharagraff 4.4 yr adroddiad. Nid oedd y cerbyd yn addas i gadair olwyn. Darparwyd hanes gwasanaeth y cerbyd â'r dyddiad 14 Chwefror 2018, gyda'r milltiroedd yn cael eu cofnodi ar y pryd fel 10926.

Aeth yr aelodau yn eu blaen wedyn i archwilio'r cerbyd a oedd ym maes parcio islawr y Swyddfeydd Dinesig.

Ar ôl ailymgynnull cafwyd cadarnhad mai milltiroedd y cerbyd oedd 14312.

Rhoddwyd canllawiau'r polisi mewn perthynas â cheisiadau am drwyddedau Cerbydau Hurio Preifat ym mharagraff 4.4 yr adroddiad.

Bu i'r aelodau adael yr ystafell i ystyried y cais ymhellach ac ar ôl ailymgynnull,

PENDERFYNWYD: Ystyriodd yr Is-Bwyllgor y cais i gofrestru'r cerbyd â'r rhif cofrestru LL66 RZK fel cerbyd hurio preifat.

Nododd aelodau nad oedd y cais yn bodloni polisi 2.1 oherwydd oedran a milltiroedd y cerbyd.

Nododd yr aelodau y gellir llacio'r polisi fel y nodir ym mharagraff 2.2 y polisi a bod y canllawiau yn 2.2.5 yn berthnasol, yn benodol ansawdd y tu mewn a'r tu allan i'r car a'r safonau diogelwch eithriadol. Fel y cyfryw, roedd yr Is-Bwyllgor yn fodlon caniatáu'r drwydded.

195. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd Bennaeth Gwasanaethau Cyfreithiol a Rheoli adroddiad a oedd yn gofyn i'r Is-Bwyllgor ystyried cais i ganiatáu trwydded am gerbyd hurio preifat.

Nododd yr adroddiad bod y cais yn cael ei gyflwyno gan Peyton Travel Limited, i drwyddedu cerbyd Dacia Logan â'r rhif cofrestru WF18 MPU fel cerbyd hurio preifat â 4 sedd. Roedd y cerbyd yn un ail law ac fe'i gofrestrwyd â'r DVLA ar 10 Ebrill 2018.

Nid oedd y cais yn bodloni'r Polisi Cerbyd Hurio Preifat a gymeradwywyd gan y Pwyllgor Trwyddedu, am y rheswm/rhesymau a nodir ym mharagraff 4.4 yr adroddiad. Nid oedd y cerbyd yn addas i gadair olwyn. Nid oedd hanes gwasanaeth i'r cerbyd.

Aeth aelodau yn eu blaen wedyn i archwilio'r cerbyd a oedd ym maes parcio islawr y Swyddfeydd Dinesig.

Ar y cyfarfod yn ailymgynnull cafwyd cadarnhad mai milltiroedd y cerbyd oedd 8042.

Bu i'r aelodau adael yr ystafell i ystyried y cais ymhellach ac ar ailymgynnull y cyfarfod,

PENDERFYNWYD: Ystyriodd yr Is-Bwyllgor y cais i gofrestru'r cerbyd â'r rhif cofrestru WF18 MPU fel cerbyd hurio preifat.

Nododd aelodau nad oedd y cais yn bodloni polisi 2.1 oherwydd oedran a milltiroedd y cerbyd.

Nododd aelodau y gellir llacio'r polisi fel y nodir ym mharagraff 2.2 y polisi a bod y canllawiau yn 2.2.5 yn berthnasol, yn benodol ansawdd y tu mewn a'r tu allan i'r car a'r safonau diogelwch eithriadol. Fel y cyfryw, roedd yr Is-Bwyllgor.

196. EITEMAU BRYD

Dim.

197. GWAHARDD Y CYHOEDD

PENDERFYNWYD: Mai dan Adran 100A (4) Deddf Llywodraeth Leol 1972 fel y diwygiedig gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywiaeth) (Cymru) 2007, bod y cyhoedd yn cael eu gwahardd rhag y cyfarfod yn ystod trafodaeth o'r eitemau busnes canlynol gan eu bod yn cynnwys gwybodaeth eithriedig fel y diffinnir ym Mharagraff 12 Rhan 4 a/neu Baragraff 21 Rhan 5 Amserlen 12A y Ddeddf.

Yn dilyn y prawf budd y cyhoedd, penderfynwyd, mai yn unol â'r Ddeddf y cyfeirir ati uchod, i ystyried yr eitemau canlynol yn breifat, gyda'r cyhoedd wedi'u gwahardd rhag y cyfarfod, gan yr ystyrir mai ym mhob amgylchiad mewn perthynas â'r eitemau, roedd budd y cyhoedd i gynnal y gwaharddiad yn gorbwyso

budd y cyhoedd i ddatgelu'r wybodaeth, oherwydd byddai'r wybodaeth yn niweidiol i'r ymgeiswyr dan sylw.

198. DERBYN Y COFNODION EITHRIEDIG
199. CAIS CANIATÂD AM DRWYDDEDAU
200. CAIS AM ADNEWYDDU TRWYDDEDAU
201. GWRANDAWIAD DISGYBLU I YRRWR TACSI PRESENNOL

Daeth y cyfarfod i ben am 11:42

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**COFNODION CYFARFOD Y IS-BWYLLGOR TRWYDDEDU (A) A GYNHALIWYD YN
COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB DYDD
MAWRTH, 11 MEHEFIN 2019, AM 10:00**

Presennol

Y Cyngorydd – Cadeirydd

TH Beedle

MJ Kearn

AA Pucella

JE Williams

Swyddogion:

Ilaria Agostini-Green Uwch Swyddog Gorfodi Trwyddedu

Andrea Lee Uwch Cyfreithiwr

Michael Pitman Prentys Busnes Gweinyddol Gwasanaethau Democraidd

202. ETHOL CADEIRYDD

Roedd yn ofynnol i aelodau ethol Cadeirydd oherwydd absenoldeb y Cyngorydd David Lewis (Cadeirydd). Etholodd yr Aelodau y Cyngorydd Mike Kearn

203. YMDDIHEURIADAU AM ABSENOLDEB

Cyng DRW Lewis (Cadeirydd)

204. DATGANIADAU O FUDDIANT

Dim

205. GWAHARDD Y CYHOEDD

PENDERFYNWYD: Gwahardd y cyhoedd o'r cyfarfod, o dan Adran 100A (4) o Ddeddf Llywodraeth Leol 1972, fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywiad) (Cymru) 2007, a hynny pan fyddai'r Aelodau'n trafod yr eitemau a ganlyn gan eu bod yn cynnwys gwybodaeth sydd wedi'i heithrio o dan Baragraff 12 yn Rhan 4 a/neu Baragraff 21 yn Rhan 5 o Atodlen 12A i'r Ddeddf.

Ar ôl cymhwyso prawf budd y cyhoedd, penderfynwyd, yn unol â'r Ddeddf y cyfeirir ati uchod, y dylid trafod yr eitemau a ganlyn mewn sesiwn breifat, gan wahardd y cyhoedd o'r cyfarfod, a hynny oherwydd, ym mhob un o'r amgylchiadau'n ymwneud â'r eitemau hyn, ystyriwyd bod y budd cyhoeddus a oedd ynghlwm wrth barhau â'r eithriad yn drech na'r budd cyhoeddus a oedd ynghlwm wrth ddatgelu'r wybodaeth, gan y byddai'r wybodaeth yn niweidiol i'r ymgeiswyr dan sylw.

206. GWRANDAWIAD DISGYBLU AR GYFER GYRWR TACSI PRESENNOL

Daeth y cyfarfod i ben am 10:22

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

30 JULY 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.

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 Karl Svensen, to licence a Dacia Logan MCV Diesel vehicle registration number AU17 USM as a hackney carriage vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on March 2017.
- 4.3 The application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible.
- 4.4 A Dacia vehicle inspection sheet has been submitted completed for services at 5307 miles on 27 April 2018 and 9197 miles on 31 May 2019.
- 4.6 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.

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 24 July 2019

Yvonne Witchell
Team Manager Licensing

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

Background documents

Hackney Carriage Application
Hackney Carriage Vehicle Policy Guidelines

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

30 JULY 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 Mark Chegwen, to licence a Mercedes V250 D AMG vehicle registration number CN19 ZZG as a private hire vehicle to seat 7 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA ON 13 March 2019.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. For Members' information there is no service history for this vehicle.

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.*

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 24 July 2019

Yvonne Witchell
Team Manager Licensing

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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

REPORT TO LICENSING SUB COMMITTEE

30 JULY 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 Eric James Chauffeuring Limited, to licence a Mercedes S Class LWB vehicle registration number KT67 BNB as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 27 December 2017.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. For Members' information a Service Report has been provided dated 4 January 2019 when the mileage was recorded at 15167.
- 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.*

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 24 July 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

REPORT TO LICENSING SUB COMMITTEE

30 JULY 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 Sharon Evans, to licence a Mercedes C220d SE Estate vehicle registration number KJ67 BGU as a private hire vehicle to seat 4 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 28 February 2018.

- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. For Members' information a Schedule is included from Mercedes Benz confirming the mileage at 13772 on the 17 June 2019.

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.*

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 24 July 2019

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Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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