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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.



Dear Councillor,

Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 /

643147 / 643694

Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref: Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 9 September 2020

LICENSING SUB-COMMITTEE A

A meeting of the Licensing Sub-Committee A will be held remotely via Skype for Business on **Tuesday**, **15 September 2020** at **10:00**.

AGENDA

1. <u>Apologies for Absence</u>

To receive apologies for absence from Members.

2. <u>Declarations of Interest</u>

To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members Code of Conduct adopted by Council from 1 September 2008.

3. <u>Approval of Minutes</u> 3 - 8

To receive for approval the Minutes of the 10/03/2020

4. Application to Licence Private Hire Vehicle 9 - 20

5. Application to Licence Private Hire Vehicle 21 - 30

6. Urgent Items

To consider any other item(s) of business in respect of which notice has been given in accordance with Rule 4 of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Please note: Due to the requirement for social distancing this meeting will not be held at its usual location. This will be a virtual meeting and Committee Members and Officers will be attending remotely. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available once the meeting has concluded. If you have any queries regarding this, please contact cabinet committee@bridgend.gov.uk or tel. 01656 643147 / 643148.

Yours faithfully **K Watson**Chief Officer, Legal, HR & Regulatory Services

Councillors:CouncillorsCouncillorsTH BeedleMJ KearnAA PucellaRJ CollinsDRW LewisJE Williams

Agenda Item 3

LICENSING SUB-COMMITTEE A - TUESDAY, 10 MARCH 2020

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 10 MARCH 2020 AT 10:00

Present

Councillor DRW Lewis - Chairperson

TH Beedle JE Williams MJ Kearn AA Pucella

Apologies for Absence

Cllr R Collins

Officers:

Andrea Lee Senior Lawyer

Michael Pitman Democratic Services Officer - Committees

Yvonne Witchell Team Manager Licensing

252. DECLARATIONS OF INTEREST

None

253. APPROVAL OF MINUTES

RESOLVED: That the minutes of the 14/01/2020 be approved as a true and accurate

record.

254. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Chief officer – Legal, HR and Regulatory Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Hackney Carriage vehicle.

The report advised that application was being made by Andrew Jackson of Porthcawl, to licence a Ford Torneo Custom, vehicle registration number CK66 NEU as a Hackney Carriage Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on November 2016.

The application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. A service history was provided which was detailed at paragraph 4.3 of the report.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 72,412

The Policy guidelines relating to applications for the licence of Hackney Carriage Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

<u>RESOLVED</u>: The Sub-Committee considered the application to register CK66 NEU as a Hackney Carriage Vehicle.

Members noted that it fell outside of policy 2.1 due to the vehicles age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such, the Sub-Committee were happy to grant the licence.

255. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Chief officer – Legal, HR and Regulatory Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Private Hire vehicle.

The report advised that application was being made by Paul Brain of Bridgend to licence a Vauxhall Vivaro CDTI, vehicle registration number DE15 CEU as a Private Hire Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on 12 May 2015

The application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. A service history was provided which was detailed at paragraph 4.3 of the report.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 80,780

The Policy guidelines relating to applications for the licence of Private Hire Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

RESOLVED: The Sub-Committee considered the application to register DE15 CEU as a Private Hire Vehicle.

Members noted that it fell outside of policy 2.1 due to the vehicles age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such, the Sub-Committee were happy to grant the licence.

256. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Chief officer – Legal, HR and Regulatory Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Private Hire vehicle.

The report advised that application was being made by Paul Brain of Bridgend to licence a Mercedes E220 AMG, vehicle registration number FG66 XGN as a Private Hire Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 12 May 2016

The application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. A service history was provided which was detailed at paragraph 4.3 of the report.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 49.140

The Policy guidelines relating to applications for the licence of Private Hire Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

RESOLVED: The Sub-Committee considered the application to register FG66 XGN as a Private Hire Vehicle.

Members noted that it fell outside of policy 2.1 due to the vehicles age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such, the Sub-Committee were happy to grant the licence.

257. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Chief officer – Legal, HR and Regulatory Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Private Hire vehicle.

The report advised that application was being made by David Llewellyn of Pyle to licence a Mercedes E Class, vehicle registration number KU17 JTW as a Private Hire Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 31 July 2017

The application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. A service history was provided which was detailed at paragraph 4.3 of the report.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 19,515

The Policy guidelines relating to applications for the licence of Private Hire Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

<u>RESOLVED</u>: The Sub-Committee considered the application to register KU17 JTW as a Private Hire Vehicle.

Members noted that it fell outside of policy 2.1 due to the vehicles age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such, the Sub-Committee were happy to grant the licence.

258. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Chief officer – Legal, HR and Regulatory Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Hackney Carriage vehicle.

The report advised that application was being made by Mizanur Rahman of Porthcawl to licence a Mercedes E200, vehicle registration number BW68 UZS as a Hackney Carriage Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 28 January 2019

The application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. No service history was provided for the vehicle.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 37,563

The Policy guidelines relating to applications for the licence of Hackney Carriage was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

RESOLVED: The Sub-Committee considered the application to register BW68 UZS as a Hackney Carriage Vehicle.

Members noted that it fell outside of policy 2.1 due to the vehicles age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such, the Sub-Committee were happy to grant the licence.

259. URGENT ITEMS

None

260. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following items of business as they contained exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Act.

> Following the application of the public interest test it was resolved that pursuant to the Act referred to above, to consider the following items in private, with the public excluded from the meeting, as it was considered that in all circumstances relating to the items, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, because the information would be prejudicial to the applicants so mentioned.

261. **APPROVAL OF EXEMPT MINUTES**

RESOLVED: That the exempt minutes of the 14/01/2020 be approved as a true and accurate record.



BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

15 SEPTEMBER 2020

REPORT OF THE CHIEF OFFICER - LEGAL, HR 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 This report relates to the Council's regulatory functions. 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 An application is made by Peyton Travel Limited of Bridgend to licence a Vauxhall Vivaro vehicle registration number LO16 HCJ as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 23 May 2016.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. A service report has been submitted dated 21 Novembr 2017 with the mileage recorded as 25225, 10 February 2019 with mileage at 52253 and 17 January 2020 with mileage at 74488.
- 4.4 On 8 September 2020 a Licensing Enforcement Officer inspected the vehicle and the vehicle was found to be in good condition. A Vehicle Assessment form is provided at Appendix A. At the time of inspection the mileage was recorded at 80089.

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. 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 CHIEF OFFICER – LEGAL, HR AND REGULATORY SERVICES

Date 9 September 2020

Contact Officer: 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



Vehicle Assessment Form

Completed by: UAVIO BARRETT.
Date: 08/09/2020
HC / PH Number:
Vehicle Registration:
Vehicle Make / Model: VAUXHALL VIVARO.
Vin Number:
Mileage on Inspection: 8008 Pmiles
Owner Details: PETTON TRAVER L.T.D.
HO MAIN AVENUE. BRACKLA IND EST
BRIDGENZ,

Exterior

Clean Free from dents/rust No missing trims Scrapes / Scratches Loose Panels	Yes /
Paintwork in uniform colour and free from chips and scratches No egg shell finish No different shades or colours either inside or outside which are visible to the public	Yes / the
Front and Rear registration plate clean Registration plate not obstructed by tow bar Registration plate unbroken and conform to relevant legislation	Yes / 🍋
Trim panels secure with no sharp edges All wing mirrors in good condition and fixed as per manufacturer's specification (Not fixed secured, covered in duct tape.	Yes / No
Windscreen to be clean and free of scratches or chips	Yes / No
Wheels / tyres fit for purpose and free from defects All wheel trims to be fitted according to the manufacturer's specification and all matching	Yes /
Lights operational Side, dip, full beam, brake, reverse, fog, indicators 'For Hire' light (if applicable)	Yes / Tes
Washers / Wipers operational and in working order	Yes / 🎜 🌣
Horn Operational	Yes / No

Interior

Seats free from dirt, tears and stains All seat covers matching Fitted carpets free of stains or holes	Yes / No.
No missing trims All internal panels to be clean and match original trim	No / No
Seat belts, clean and attachments functioning correctly with no signs of deterioration All anchorage point covers properly fitted with no sharp edges	Yes / No.
Windows / doors open correctly and in working order All doors must be able to be opened from the inside	Yes / The
Luggage space / boot clean and tidy	Yes / No.

Other

Steps / Ramps free from defects with no missing parts	Yes / No
Details of any other non-compliance	
NIX	

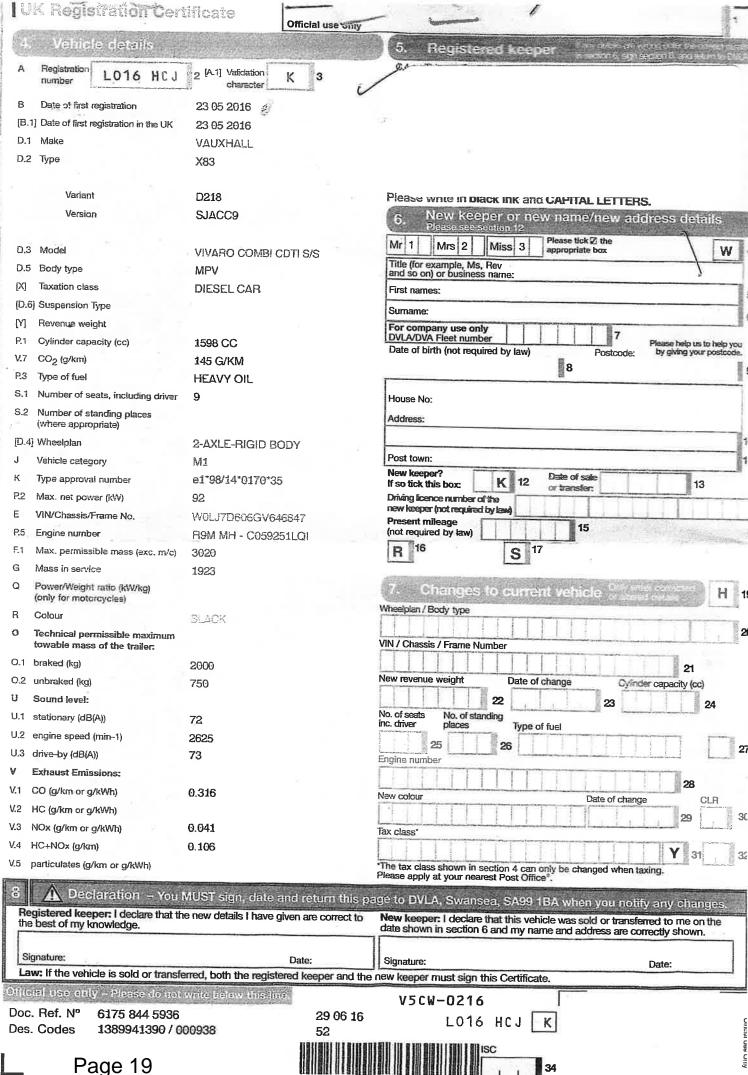
Meets Minimum Size Specification: Yes / 🖚

Recommended for plating: Yes / [See]

Licensing Office Informed: Yes / 🎏

Re-inspection date (If applicable):

Signed: Date: 08/09/2020.



8269 3326 1814 7165 5993 1535

A 8319138

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

15 SEPTEMBER 2020

REPORT OF THE CHIEF OFFICER - LEGAL, HR 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 This report relates to the Council's regulatory functions. 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 Driven Personal Hire Limited of Porthcawl to licence a Mercedes C200 vehicle registration number CN13 KFU as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 5 March 2015.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. A service report has not been submitted as the vehicle was a licensed Private Hire vehicle until the expiry date of 12 July 2019. No renewal application was made at that time.
- 4.4 On the 24 August 2020 a Licensing Enforcement Officer inspected the vehicle and the vehicle was found to be in good condition. A Vehicle Assessment form is provided at Appendix A. At the time of inspection the mileage was recorded at 113,767.

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. 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 CHIEF OFFICER – LEGAL, HR AND REGULATORY SERVICES

Date 9 September 2020

Contact: 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



Vehicle Assessment Form

Completed by:	DAVID	BARRE.	77	
Date	24/08/	12020.		
HC / PH Numbe	PH 171	1 55c	PIRED	
Vehicle Registrat	ion:			
	CN13	A-Ãzخ.		
Vehicle Make / N	lodel:			
	MERC	CEDES C	kÞo.	
Vin Number:				
Mileage	-11376	7 mice	e	
Mileage on Inspe	ection.			

2	Ri	VE	N	
	De			
P	DR	TH	CAL	WK.

Owner Details:

c^z&6 g ex.
01656 788887.

Exterior

Clean Free from dents/rust No missing trims Scrapes / Scratches Loose Panels	Yes
Paintwork in uniform colour and free from chips and scratches No egg shell finish No different shades or colours either inside or outside which are visible to the public	Yes
Front and Rear registration plate clean Registration plate not obstructed by tow bar Registration plate unbroken and conform to relevant legislation	Yes

Trim panels secure with no sharp edges All wing mirrors in good condition and fixed as per manufacturer's specification (Not fixed secured, covered in duct tape.	Yes
Windscreen to be clean and free of scratches or chips	Yes
Wheels / tyres fit for purpose and free from defects All wheel trims to be fitted according to the manufacturer's specification and all matching	Yes
Lights operational Side, dip, full beam, brake, reverse, fog, indicators 'For Hire' light (if applicable)	Yes /
	Yes /
Washers / Wipers operational and in working order	
Horn Operational	Yes
Interior	1

Seats free from dirt, tears and stains	Yes	
All seat covers matching		
Fitted carpets free of stains or holes		

No missing trims All internal panels to be clean and match original trim	/ No
Seat belts, clean and attachments functioning correctly with no signs of deterioration All anchorage point covers properly fitted with no sharp edges	Yes
Windows / doors open correctly and in working order All doors must be able to be opened from the inside	Yes-æ
Luggage space / boot clean and tidy	Yes

Other

Steps / Ramps free from defects with no missing parts

Details of any other non-compliance

Model Compliance

**Model Compliance

Meets Minimum Size Specification: Yes / No

Recommended for plating: / Yes / No

Licensing Office Informed: Yes / No

Re-inspection date (If applicable):

Signed: Date:

Date: 24

