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Bridgend County Borough Council
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr



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

Legal and Regulatory Services /
Gwasanaethau Cyfreithiol a Rheoleiddiol
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Ask for / Gofynnwch am: Jeannie Monks

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

Date / Dyddiad: 6 Rhagfyr 2014

Dear Councillor,

LICENSING SUB-COMMITTEE B

A meeting of the Licensing Sub-Committee B will be held in Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Dydd Mawrth, 9 Rhagfyr 2014 at 9.30 am.**

AGENDA

1. Ymddiheuriadau am absenoldeb
To receive apologies for absence (to include reasons, where appropriate) from Members/Officers.
2. Datganiadau o fuddiant
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. Exclusion of the Public
The report relating to the following item is not for publication as it contains exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007.

If following the application of the public interest test the Committee resolves pursuant to the Act to consider this item in private, the public will be excluded from the meeting during such consideration.

4. Application for Grant of New Licence 3 - 10
5. To Re-Admit Members of the Public
6. Application to Licence Hackney Carriage Vehicle 11 - 14
7. Exclusion of the Public

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The reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007.

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| 8. | <u>Application for Grant of New Licence</u> | 15 - 18 |
| 9. | <u>Application for Grant of New Licence</u> | 19 - 22 |
| 10. | <u>Application for Grant of New Licence</u> | 23 - 26 |
| 11. | <u>Disciplinary Hearing for Existing Licence Holder</u> | 27 - 34 |
| 12. | <u>To Re-Admit Members of the Public</u> | |
| 13. | <u>Materion Brys</u>
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. | |

Yours faithfully

P A Jolley

Assistant Chief Executive Legal and Regulatory Services

Distribution:

Councillors:

GW Davies MBE
PA Davies
E Dodd

Councillors

CJ James
PN John
DRW Lewis

Councillors

DG Owen

Officers

Lawyer

Rachel Morris

Licensing & Registration
Manager

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

9 DECEMBER 2014

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

1. Purpose of Report.

- 1.1 To ask the sub-committee to consider the application to grant a licence for a hackney carriage vehicle.

2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 None

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. These applications are referred to Licensing Sub-Committee for determination.

4. Current situation / proposal.

- 4.1 Application is made by Philip Evans, to licence a vehicle registration number LV04FVK as a hackney carriage vehicle to seat 8 persons. The date of first registration of the vehicle is 12 March 2004. The previous licence has expired.
- 4.2 The vehicle was previously licensed as a hackney carriage wheelchair accessible vehicle with Bridgend County Borough Council since 2006. The applicant has indicated that the vehicle is not wheelchair accessible now and is applying for a licence for a hackney carriage only. The vehicle licence expired on 20 November 2014. The last recorded mileage of the vehicle was 269025 miles on the last testing on 21 July 2014 with this Authority.
- 4.3 The vehicle is submitted for consideration under the Council's Hackney Carriage Vehicle Policy.
- 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:

(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.

(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 vehicle does not fall within the published guidelines for relaxing the policy, so this case must be dealt with on its merits.

(2.5) Applicants are reminded that if they fail to make application to renew an existing licence before the expiry date any subsequent application must be treated as one of grant. Any relaxation of current policies will only be granted in very exceptional circumstances. The responsibility for making an application rests solely with the licence holder. All applications of this type will normally be reported to the Licensing Sub-Committee for determination.

4.4.1 This case is referred to the Licensing Sub-Committee as the vehicle falls outside the vehicle policy for the first licensing of a hackney carriage. Renewal reminders were sent by post and e-mail to Mr Evans.

5. Effect upon Policy Framework & 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. Financial Implications.

7.1 None for the Authority. The Applicant has purchased the vehicle and paid the application fee.

8. Recommendation.

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

Andrew Jolley
Assistant Chief Executive Legal and Regulatory Services
3 December 2014

Contact Officer: Yvonne Witchell
Licensing and Registration Officer

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

Background documents

Hackney Carriage Vehicle Application Form
Hackney Carriage Policy Guidelines
Vehicle Testing History

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