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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**  
Direct line / Deialu uniongyrchol: 01656 643148  
Ask for / Gofynnwch am: Mark Galvin

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

**Date / Dyddiad:** 26 March 2015

Dear Councillor,

**LICENSING SUB-COMMITTEE B**

A meeting of the Licensing Sub-Committee B will be held in Committee Rooms 2/3, Civic Offices, Angel Street, Bridgend CF31 4WB on **Wednesday, 1 April 2015 at 2.00 pm.**

**AGENDA**

1. Apologies for Absence  
To receive apologies for absence (to include reasons, where appropriate) from Members/Officers.
2. Approval of Minutes 3 - 8  
To receive for approval the public Minutes of a meeting of the Licensing Sub-Committee held on 9 December 2014 and 3 February 2015.
3. Declarations of Interest  
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.
4. Application to Licence Hackney Carriage Vehicle 9 - 12
5. Application to Licence Private Hire Vehicle 13 - 16
6. Exclusion of the Public  
The minutes and report relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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.

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

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7. Approval of Exempt Minutes 17 - 38  
To receive for approval the exempt Minutes of a meeting of the Licensing Sub-Committee held on 9 December 2014 and 3 February 2015.
8. Application for Renewal of Licence 39 - 42
9. 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.

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

LICENSING SUB-COMMITTEE B - TUESDAY, 9 DECEMBER 2014

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE (B) HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 9 DECEMBER 2014 AT 9.30 AM

Present:

Councillor DRW Lewis (Chair)

Councillors:

GW Davies MBE  
PA Davies  
E Dodd

Officers:

Y Witchell - Licensing and Registration Officer  
K Daw - Legal Officer  
J Monks - Democratic Services Officer - Committees

#### 455 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor C J James - Hospital  
Councillor P N John - Unwell

#### 456 DECLARATIONS OF INTEREST

None.

#### 457 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 item of business as it contains exempt information as defined in Paragraph 12 of Part 4, and 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 this item in private, with the public excluded from the meeting, as it was considered that in all the circumstances relating to the item, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, because the information would be prejudicial to the applicants.

Minute Nos.    Summary of Item:

458            Applications for the Grant/Renewal of Licenses to drive Hackney Carriage and Private Hire Vehicles.

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459 TO RE-ADMIT MEMBERS OF THE PUBLIC

The press and public were then readmitted.

460 TOWN POLICE CLAUSES ACT 1847  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Assistant Chief Executive - Legal and Regulatory Services submitted a report regarding an application by Philip Evans to licence a Ford Transit vehicle, registration number LV04 FVK, as a hackney carriage vehicle to seat eight persons.

The applicant was present in support of the application and the Sub-Committee adjourned the meeting in order to view the vehicle.

On inspecting the vehicle the mileage was confirmed as being 274,338 miles.

Upon their return, the Licensing and Registration Officer informed Members that the vehicle was previously licensed as a hackney carriage wheelchair accessible vehicle with Bridgend County Borough Council since 23006. The applicant had indicated that the vehicle was no longer wheelchair accessible and was applying for a licence for a hackney carriage only.

The Licensing and Registration Officer informed the Sub-Committee that the vehicle licence expired on the 20<sup>th</sup> November 2014 and no application was made prior to the expiry date, and therefore the application was treated as new one.

The Licensing and Registration Officer then questioned the applicant, and in response he confirmed that he had recently purchased the vehicle, on the 10<sup>th</sup> November 2014, which was then transferred to him from the previous owner prior to the 20<sup>th</sup> November 2014. She asked for an explanation as to why he had not previously made an application to renew the licence.

The applicant explained that he had not owned a taxi before and the taxi regulations were new to him. He did not put the application in the post until the 20<sup>th</sup> November 2014, and then found out that he should have submitted it sooner, and assured the Sub-Committee that he would in future submit applications earlier. He informed the Sub-Committee that he then brought along a photocopy of his check and application to the Licensing Department and was not aware that it had not been received.

The Licensing and Registration Officer advised that the Authority had never received his application. She asked whether he had carried out any work on the vehicle.

The applicant advised that he had spent £500 on repairs in preparation for the vehicle testing.

RESOLVED: That the Sub-Committee considered the application to licence a private hire vehicle, registration number LV04 FVK.

The Sub-Committee noted that the vehicle was previously licensed with the Authority, but the licence expired on the 20<sup>th</sup> November 2014, a few weeks after the applicant obtained the vehicle on the 10<sup>th</sup> November 2014. Under the Authority's policy this was now being dealt with as a new application.

The Sub-Committee noted that the applicant had stated that he had sent the renewal application, but that the Licensing Department had never received it. The Sub-Committee accepted that in future the applicant would submit applications earlier and that the taxi regulations were new to him.

The Sub-Committee heard from the application that he after purchasing the vehicle; he spent money on it to get it through the vehicle testing.

The Sub-Committee considered the above and felt that the applicant's personal situation were exceptional circumstances, as outlined under the Authority's policy and therefore granted a Private Hire Vehicle Licence.

461 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 contain exempt information as defined in Paragraphs 12 of Part 4 and 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 the 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.

<u>Minute No:</u>	<u>Summary of Item:</u>
462	Applications for the grant of new licences to drive Hackney Carriage and Private Hire Vehicles.
463	Disciplinary Hearing

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE (B) HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON TUESDAY, 03 FEBRUARY 2015 AT 10.05AM

Present:

Councillor D R W Lewis - Chairperson

Councillors

Councillors

P A Davies

E Dodd

G W Davies MBE

C J James

Officers:

Y Witchell - Licensing and Registration Officer  
A Lee - Legal Officer  
R Morris - Licensing and Registration Assistant  
F Colwill - Enforcement Officer  
M A Galvin - Senior Democratic Services Officer – Committees

530 APOLOGIES FOR ABSENCE

The following apologies for absence were received:-

Councillor P John  
Councillor D Owen

531 DECLARATIONS OF INTEREST

The following Members declared a prejudicial interest:

Councillor P A Davies - Councillor Davies declared an interest in Agenda Item 3, in that she knew the applicant well

532 APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Assistant Chief Executive – Legal and Regulatory Services presented a report, that asked the Sub-Committee to consider to grant a licence for a Private Hire Vehicle.

The applicant was present in support of his application, and Members proceeded to the basement to view the vehicle in question.

Upon returning to the meeting, the Licensing and Registration Officer advised that the report concerned an application made by Easyway Minibus Hire Ltd to licence a black Audi A8 L Sport, vehicle registration number WX13NZP as a private hire vehicle to seat 4 persons.

The vehicle is pre-owned and was first registered at the DVLA on 29 July 2013. The applicant has provided a full service history with this application. The first service was carried out on 12 December 2013 and the recorded mileage was 11,495 miles. The second service was carried out on 25 February 2014 and the recorded mileage was 18687 miles. The third service was carried out on 28 July 2014 and the recorded mileage was 32320 miles and the last service was carried out on 18 December 2014 and the recorded mileage was 40696 miles.

The vehicle is submitted for consideration under the Council's Private Hire Vehicle Policy.

She added that the current mileage of the vehicle was 41,250.

The vehicle departed from the Council's Licensing Policy, for the reasons outlined in paragraph 4.4 of the report

Mr Morris when asked, confirmed that the vehicle was designed for longer journeys ie cruise and airport transport and Executive clientele.

Members then retired to consider the application further and upon their return the Sub-Committee,

RESOLVED: That the Sub-Committee granted the application to licence Vehicle Registration number WX13 NZP, as they were satisfied there was justifiable reason and exceptional circumstances to depart from its Policy in this instance

533 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 contain exempt information as defined in Paragraphs 12 of Part 4 and 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 the 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.

<u>Minute No:</u>	<u>Summary of Items:</u>
534	Disciplinary Hearing for Existing Licence Holder
535	Disciplinary Hearing for Existing Licence Holder.
536	Application for Renewal of Licence
537	Application for Renewal of Licence



## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

1 APRIL 2015

#### 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 Parrott Motors, to licence a vehicle registration number CA61DCO as a hackney carriage vehicle to seat 4 persons. The date of first registration of the vehicle is 9 February 2012. The previous licence has expired.
- 4.2 The vehicle was previously licensed with Bridgend County Borough Council since 9 February 2012 and the vehicle licence expired on 13 February 2015. The last recorded mileage of the vehicle was 68593 miles on the last testing on 13 August 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 to Parrott Motors Ltd.

## **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**  
**26 March 2015**

**Contact Officer:** Yvonne Witchell  
Licensing and Registration Officer

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## **Background documents**



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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

1 APRIL 2015

#### REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

##### APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

###### 1. Purpose of Report.

- 1.1 To ask the sub-committee to consider the application to grant a licence for a private hire 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 Simon Jones to licence a Dacia Logan, vehicle registration number NA64 YGT 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 2014. There is no service history or MOT certificate as the vehicle has not reached the required mileage or age.
- 4.3 The vehicle is submitted for consideration under the Council's Private Hire 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:

*“(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 2.2.5) 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 & 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**  
**26 March 2015**

**Contact Officer:** Yvonne Witchell  
Licensing and Registration Officer

**Telephone:** (01656) 643105

**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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