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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 643147
Ask for / Gofynnwch am: Andrew Rees

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

Date / Dyddiad: 25 August 2015

Dear Councillor,

LICENSING SUB-COMMITTEE A

A meeting of the Licensing Sub-Committee A will be held in Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 1 September 2015 at 10.00 am.**

AGENDA

1. Apologies for Absence
To receive apologies for absence (to include reasons, where appropriate) from Members/Officers.
2. 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.
3. Approval of Minutes 3 - 6
To receive for approval the public Minutes of the Licensing Sub-Committee of 4 August 2015.
4. Application to Licence Private Hire Vehicle 7 - 10
5. 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.
6. Exclusion of the Public
The reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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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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. | <u>Approval of Exempt Minutes</u> | 11 - 12 |
| | To receive for approval the exempt minutes of the Licensing Sub-Committee of 4 August 2015. | |
| 8. | <u>Application for Renewal of Licence</u> | 13 - 16 |
| 9. | <u>Application for Renewal of Licence</u> | 17 - 22 |

Yours faithfully

P A Jolley

Assistant Chief Executive Legal and Regulatory Services

Distribution:

Councillors:

P James
RD Jenkins
B Jones

Councillors

JE Lewis
HE Morgan
E Venables

Councillors

R Williams

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, 4 AUGUST 2015 AT 10.00 AM

Present:-

Councillor R Williams – Chairperson

Councillors

JE Lewis

HE Morgan

P James

Officers:

Katia Daw	Assistant Solicitor
Rachel Morris	Senior Licensing and Registration Assistant
Mark Galvin	Senior Democratic Services Officer - Committees

15. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so given:-

Councillor R D Jenkins – Holiday

Councillor E Venables - Holiday

16. DECLARATIONS OF INTEREST

Councillor P James declared a prejudicial interest in Agenda item 7., Application for Renewal of Licence as the applicant was well known to her.

17. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the following meetings of the Licensing Sub-Committee be approved as a true and accurate record:-

Special meeting – 21 April 2015

Ordinary meeting – 9 June 2015

Ordinary meeting – 7 July 2015

18. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Assistant Chief Executive – Legal and Regulatory Services submitted a report which requested the Sub-Committee to consider an application to grant a Licence for a Private Hire Vehicle.

Mr John Anderson was in attendance in support of the application.

The Senior Licensing and Registration Assistant advised that application had been made by Kindertons Ltd to licence a Skoda Superb vehicle registration number WK15YJG as a Private Hire Vehicle to seat 4 persons.

The vehicle was leased from GE Capital and was first registered at the DVLA on 31 May 2015. The applicant had stated that the vehicle had no miles on the clock at the time of

application on 14 July 2015, and was being submitted for consideration under the Council's Private Hire Vehicle Policy.

The Chairperson adjourned the meeting following which Members and Officers proceeded to inspect the vehicle which was situated in the basement car park.

Upon reconvening the meeting, the Senior Licensing and Registration Officer confirmed that the current mileage of the vehicle was 358 miles.

She advised that the vehicle departed from the Council's Licensing Policy for the reasons detailed in Paragraph 4.4 of the report.

Mr Anderson and Officers then retired from the meeting in order that The Sub-Committee could consider the application further, and upon their return, it was

RESOLVED: The Sub-Committee considered the application made by Kindertons Ltd to licence Vehicle Registration WK15YJG as a Private Hire Vehicle.

The Sub-Committee had also noted Paragraph 21 of its Licensing Policy and that the vehicle fell outside the terms of the Policy as it had been longer than 14 days since its first registration.

The Sub-Committee having inspected the vehicle, were happy to grant the application to licence this as a Private Hire Vehicle under Paragraph 2.2.5 of the Policy due to the exceptional condition of both the interior and exterior of the vehicle, as well as the exceptional standards of safety and passenger comfort.

19 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/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 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>
20	Approval of Exempt Minutes.
21	Application for Renewal of Licence.

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

1 SEPTEMBER 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 Parrott Motors Ltd, to licence a Skoda Octavia vehicle registration number CP12 WWS as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 17 July 2012. The applicant has provided a service history. The vehicle was serviced on 12 December 2012 at 9830 miles, 5 June 2013 at 20,279 miles, 16 December 2013 at 30,121 miles, 10 June 2014 at 39,024 miles and 5 January 2015 at 48,887 miles. A MOT certificate has been provided by the applicant dated 30 June 2015 at 56,490 miles.
- 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 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
25 August 2015

Contact Officer: Yvonne Witchell
Licensing and Registration Officer

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

Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines
MOT Certificate
Service History

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of the Local Government Act 1972.

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