

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 18 AUGUST 2015 AT 10.00 AM

Present

Councillors

PA Davies
DG Owen

E Dodd

CJ James

PN John

Officers:

Katia Daw
Yvonne Witchell
Sarah Daniel

Lawyer
Licensing & Registration Manager
Democratic Services Officer - Committees

27. ELECTION OF CHAIRPERSON

RESOLVED: That Councillor PA Davies be elected Chairperson for the meeting due to the absence of the Chairperson

(Councillor PA Davies took the Chair)

28. APOLOGIES FOR ABSENCE

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

Councillor DRW Lewis – Holiday
Councillor GW Davies – Holiday

29. DECLARATIONS OF INTEREST

Councillor P John declared a personal interest in that the applicant was known to him in relation to Item 5 and 6 on the agenda. He withdrew from the meeting during consideration of the items as he was unable to view the vehicles.

30. APPLICATION FOR GRANT OF STREET TRADING CONSENT

The Assistant Chief Executive – Legal and Regulatory Services submitted a report which requested the Sub-Committee to determine an application for the grant of a street trading consent for a single vehicle for the sale of ice cream, sweets, tea/coffee, biscuits and crisps from a vehicle in various locations in the County Borough.

The applicant was in attendance in support of the application.

The Licensing and Registration Officer informed the Sub-Committee that the application was originally submitted prior to the expiry date, to renew and extend the scope of the existing consent which covered fixed trading on Newton Beach site and Porthcawl streets as a mobile trader. The applicant had previously provided supporting evidence from the land owner of consent to occupy the fixed trading site at Newton Beach, Porthcawl.

The Licensing and Registration Officer sought clarification from the applicant as to whether she intended to trade at Rhych Avenue, Porthcawl specifically as a site. The applicant confirmed that her application was only to trade at Newton Beach as a fixed site and as a mobile trader in the Porthcawl area.

The Sub-Committee retired to consider the application further and upon their return it was:

RESOLVED: That consent be granted subject to the standard conditions of the amendments to the application to restrict fixed trading at Newton Beach, Porthcawl site only.

31. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Licensing and Registration Officer submitted a report regarding an application by Forge Travel Limited to licence a vehicle registration number EK64 ESY as a hackney carriage vehicle to seat four persons. The vehicle is pre-owned and was first registered with the DVLA on 31 October 2014. There was no service history or MOT certificate as the vehicle had not reached the required mileage or age

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

The applicant informed the Sub-Committee that he intended to use the vehicle for school contract work and also intended to use the vehicle to transport passengers for a number of travel agents across South Wales and also to transport patients to and from hospital.

The Licensing and Registration Officer informed the Sub-Committee that the application fell outside the Policy guidelines for the first licensing of vehicles and which would normally be refused; however, a relaxation of the Policy may be considered in exceptional circumstances.

The Sub-Committee retired to consider the application further and on their return it was:

RESOLVED: That the Sub-Committee considered the application to licence vehicle registration number EK64 ESY as a hackney carriage vehicle to seat four persons.

Given there had been more than 14 days since the first registration it fell outside of para 2.1 of the Hackney Carriage Licensing Policy. Paragraph 2.2 allows a relaxation of the rule in exceptional circumstances.

In considering whether there were exceptional circumstances in this case the Sub-Committee noted the reason for needing a vehicle by 2 September 2015 for the start of a school contract and also noted the age and condition of the vehicle, including the exceptional standards of safety, quality and comfort, therefore the Sub-Committee granted the application.

32. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Licensing and Registration Officer submitted a report regarding an application by Forge Travel Limited to licence a Hyundai I40, vehicle registration number EK14 FPT as a private hire vehicle to seat four persons. The vehicle is pre-owned and was first

LICENSING SUB-COMMITTEE B - TUESDAY, 18 AUGUST 2015

registered at the DVLA on 27 March 2014. There was no service history or MOT certificate as the vehicle had not reached the required mileage or age

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

The applicant informed the Sub-Committee that he intended to use the vehicle for school contract work and also intended to use the vehicle to transport passengers for a number of travel agents across South Wales and also to transport patients to an and from hospital.

The Licensing and Registration Officer informed the Sub- Committee that the application fell outside the Policy guidelines for the first licensing of vehicles and which would normally be refused; however, a relaxation of the Policy may be considered in exceptional circumstances.

The Sub-Committee retired to consider the application further and on their return it was:

RESOLVED: That the Sub-Committee considered the application to licence a Hyundai I40, vehicle registration number EK14 FPT as a private hire vehicle to seat four persons.

Given there had been 14 days since the first registration of the vehicle it fell outside of para 2.1 of the Private Hire Vehicle Policy. Paragraph 2.2.5 allows a relaxation of this policy in certain circumstances namely:

- Exceptional interior and exterior appearance
- Exceptional Safety standards

The Sub-Committee were satisfied that the above circumstances applied and granted the application in view of the exceptional condition of the interior and exterior and the exceptional safety standards of the vehicle.

33. URGENT ITEMS

There were no urgent items.

34. 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 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 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.

LICENSING SUB-COMMITTEE B - TUESDAY, 18 AUGUST 2015

35. APPLICATION FOR GRANT OF NEW LICENCE
36. DISCIPLINARY HEARING FOR EXISTING LICENCE HOLDER

The meeting closed at 12.25 pm