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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: 7 October 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 **Tuesday, 13 October 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 meeting of the Licensing Sub-Committee of 21 July 2015.
4. 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.
5. 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The minutes and report relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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

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Act to consider these items in private, the public will be excluded from the meeting during such consideration.

6. Approval of Exempt Minutes 7 - 10
To receive for approval the exempt minutes of the Licensing Sub-Committee of 21 July 2015.
7. Application for Renewal of Licence 11 - 14

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

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 21 JULY 2015 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE
DG Owen

E Dodd

CJ James

PN John

Officers:

Andrea Lee
Yvonne Witchell
Mark Galvin

Senior Lawyer
Licensing & Registration Manager
Senior Democratic Services Officer - Committees

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor P Davies as she was unwell

17. DECLARATIONS OF INTEREST

None

18. APPROVAL OF MINUTES

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

26 May 2015
23 June 2015

19. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

Councillors P John and C J James did not take part in the decision of this application, as they did not inspect the vehicle prior to the Sub-Committee determining the application

The Assistant Chief Executive – Legal and Regulatory Services submitted a report that requested the Sub-Committee to consider an application to grant a licence for a Hackney Carriage Vehicle.

The application was made by Veezu Assist Ltd, to licence a vehicle registration number CV15 OLO as a Hackney Carriage Vehicle to seat 4 persons. The date of first registration of the vehicle was 14 May 2015, and the vehicle was leased from Grosvenor Contracts Leasing. On 7 July 2015 the mileage was 1,154 miles.

The Licensing and Registration Officer referred Members to a supporting letter with the application that was attached to the report at Appendix A.

Paragraph 4.5 of the report included policy guidelines in respect of the licensing of vehicles, and she explained that the case had been referred to the Licensing Sub-Committee as the vehicle fell outside the vehicle policy for the first licensing of a Hackney Carriage.

Members then proceeded to inspect the vehicle which was situate in the basement area of the Civic Offices.

Upon their return, the Licensing and Registration Officer confirmed that the current mileage of the vehicle was 2,006 miles.

Mr M Skerner was present at the meeting on behalf of Veezu Assist Ltd, and he responded to questions from Members following which he and Officers retired from the meeting in order for members to make a decision on the application.

Following their return, it was

RESOLVED: The Sub-Committee determined to grant the above application, having agreed that there was sufficient reason to depart from the Licensing Policy on this occasion, due to the exceptional condition of the vehicle subject of the application.

20. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

Councillors P John and C J James did not take part in the decision of this application as they did not inspect the vehicle prior to the Sub-Committee making a decision in respect of the application.

The Licensing and Registration Officer explained that the application had been made by Jamshal Iqbal to licence a Vauxhall Vectra vehicle registration number FP07 USG as a Hackney Carriage Vehicle to seat 4 persons. A previous licence expired on 25 June 2015. The applicant had submitted a letter of explanation at Appendix A to the report.

Paragraph 4.2 of the report explained that the vehicle had been previously licensed with BCBC. Mr Iqbal had previously failed to renew his licence on time in 2013, though in June of that year, a meeting of the Sub-Committee granted his vehicle a licence.

Members then proceeded to inspect the vehicle that was situate in the basement car park.

Upon reconvening the meeting, the Licensing and Registration Officer noted that when the vehicle had previously been tested on 11 December 2012, the mileage of the vehicle was 205,958, however, on 25 June 2013 the mileage had been recorded as 80,594.

Mr Iqbal advised that this had been due to the fact that there had been between these dates instrument failure in respect of the milometer. He added that when he had purchased the vehicle there had been 80,594 miles on the milometer. The current mileage after having inspected the vehicle today was 134,983.

The Licensing and Registration Officer asked Mr Iqbal why he had not applied for his licence before it had expired.

He acknowledged that this had partly been an oversight on his part and partly because the renewal reminder letter had been mistakenly delivered to his neighbours address ie 7 Broad Oak Way, when he actually lived at 7A Broad Oak Way.

Mr Iqbal added that he did have another vehicle ie HC 56 that he was leasing, but he only made a small income from this vehicle.

The Licensing and Registration Officer asked Mr Iqbal if he had been driving the vehicle subject of the report recently without a licence to do so.

He replied that he hadn't other than to change the tyres last week, in order to ensure the vehicle is roadworthy.

In response to a further question, Mr Iqbal confirmed that he was an independent driver in terms of driving taxi's, and though his vehicle reflected that he was employed by Radio Cabs as it had Radio Cabs stickers displayed on it, this was not the case. He was presently involved in a dispute with the Company over money that he alleged they owed him, and soon as this was resolved he would be removing the stickers.

The applicant and Officers then retired from the meeting in order that the Sub-Committee could make a decision upon the application. Upon the meeting reconvening, it was

- RESOLVED:
- (1) The Sub-Committee considered the application and inspected the vehicle of Mr J Iqbal and noted that this was the second occasion he had failed to licence his vehicle on time. The Sub-Committee had taken into consideration the Council's Licensing Policy and unfortunately his vehicle fell outside the terms of the policy. After inspecting the vehicle Members decided that it was not in an exceptional condition and as such they agreed that there were no exceptional circumstances which enabled them to relax the Policy. The Sub-Committee therefore refused the application.
 - (2) Mr Iqbal was advised of his right of appeal to the above decision to the Bridgend Magistrates' Court within 21 days of him receiving notification of the decision.

21. 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 Nos.</u> | <u>Summary of Items:</u> |
|--------------------|--|
| 22 | Approval of Exempt minutes of previous meetings. |
| 23 | Application for Renewal of licence |

LICENSING SUB-COMMITTEE B - TUESDAY, 21 JULY 2015

- 24 Application for Renewal of Licence.
- 25 Application for Grant of New Licence

By virtue of paragraph(s) 12 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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