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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:
Ask for / Gofynnwch am: Mr Mark Anthony Galvin

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

Date / Dyddiad: 27 January 2016

Dear Councillor,

LICENSING SUB-COMMITTEE B

A meeting of the Licensing Sub-Committee B will be held in the Committee Room 2/3, Civic Offices, Angel Street, Bridgend on **Tuesday, 2 February 2016 at 10.00 am.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
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 - 4
To receive for approval the public Minutes of a meeting of the Licensing Sub-Committee dated 8 December 2015
4. Application to licence Private Hire Vehicle 5 - 8
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The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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.

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.

- | | | |
|----|--|---------|
| 7. | <u>Approval of Exempt Minutes</u> | 9 - 16 |
| | To receive for approval the Exempt Minutes of a meeting of the Licensing Sub-Committee dated 8 December 2015 | |
| 8. | <u>Application for Renewal of Licence</u> | 17 - 20 |
| 9. | <u>Application for Renewal of Licence</u> | 21 - 24 |

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 ON TUESDAY, 8 DECEMBER 2015 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE
PN John

PA Davies

E Dodd

CJ James

Officers:

Yvonne Witchell – Senior Licensing and Registration Officer

Katia Daw – Lawyer

Sarah Daniel - Democratic Services Officer - Committees

64. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following members for the reasons so stated:

Councillor D Owen – Work Commitments

65. DECLARATIONS OF INTEREST

None

66. APPROVAL OF MINUTES

RESOLVED: That the public minutes of the meetings of the Licensing Sub Committee of 13 October 2015, 19 October 2015 and 10 November 2015 were approved as a true and accurate record

67. 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>
68	Approval of Exempt Minutes.
69	Application for Renewal of Licence.

70. URGENT ITEMS

None

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

2 FEBRUARY 2016

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 an 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. Applications which fall outside the policy guidelines are referred to a Licensing Sub-Committee for determination.

4. Current situation / proposal.

- 4.1 Application is made by Richard Singleton, to licence a Mercedes Viano MPV vehicle registration number CF65 CFV as a private hire vehicle to seat 6 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 1 September 2015 and Mr Singleton acquired the vehicle on 2 December 2015.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible, but there are specific policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, which are set out below. For Members' information, no additional service history documents have been submitted for this vehicle and the vehicle does not require a MOT certificate because it has not reached the threshold for a MOT test.

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.

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

Date 27 January 2016

Contact Officer: Yvonne Witchell
Team Manager Licensing

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

Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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