

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*

**Gwasanaethau Cyfreithiol a Rheoleiddiol / Legal
and Regulatory Services**
Deialu uniongyrchol / Direct line /: 01656 643147
Gofynnwch am / Ask for: Andrew Rees

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

Dyddiad/Date: 21 March 2016

Dear Councillor,

LICENSING SUB-COMMITTEE B

A meeting of the Licensing Sub-Committee B will be held in the Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 29 March 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 - 8
To receive for approval the public Minutes of the meetings of the Licensing Sub-Committee of 2 February and 1 March 2016.
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The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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 Act to consider these items in private, the public will be excluded from the meeting during such consideration.
6. Approval of Exempt Minutes 9 - 16

To receive for approval the exempt minutes of the Licensing Sub-Committee of 2 February and 1 March 2016.

- | | | |
|-----|---|---------|
| 7. | <u>Application for Grant of New Licence</u> | 17 - 22 |
| 8. | <u>Application for Grant of New Licence</u> | 23 - 26 |
| 9. | <u>Application for Renewal of Licence</u> | 27 - 30 |
| 10. | <u>Application for Renewal of Licence</u> | 31 - 34 |

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 COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON TUESDAY, 2 FEBRUARY 2016 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE
PN John

PA Davies

E Dodd

CJ James

Officers:

Yvonne Witchell – Team Manager Licensing

Katie Brook – Senior Licensing and Registration Assistant

Katia Daw – Lawyer

Sarah Daniel – Democratic Services Officer – Committees

80. APOLOGIES FOR ABSENCE

None

81. DECLARATIONS OF INTEREST

Councillor C J James declared a prejudicial interest and withdrew from the meeting for item 9 as the applicant was known to him.

82. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Sub-Committee held on 8 December 2015 were approved as a true and accurate record of the meeting

83. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application made by Mr Richard Singleton to licence a Mercedes Viano MPV vehicle registration CF65 CFV as a private hire vehicle to seat 6 persons. The vehicle was pre owned and was first registered at the DVLA on 1 September 2015 and Mr Singleton acquired the vehicle on 2 December 2015.

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 in the event of his application being successful he intended to use the vehicle to undertake airport transfers and as private hire bookings. He explained to Members that he bought the ex-demonstration vehicle from Mercedes

The Team Manager Licensing informed the 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 Mercedes Viano MPV vehicle registration number CF65 CFV as a private hire vehicle to seat 6 persons.

The Sub Committee noted that the policy stated it should have been licensed within 14 days from first registration and when under 500 miles. The Sub-Committee noted that the criteria had not been met, however they had considered the condition under para 2.2.5 when the policy could be relaxed and felt these were applicable in this case. In particular, they noted the exceptional quality and condition of the vehicle and the exceptional safety standards, therefore the Sub-Committee were happy to grant the application.

84. URGENT ITEMS

None

85. 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.

86. APPROVAL OF EXEMPT MINUTES

87. APPLICATION FOR RENEWAL OF LICENCE

88. APPLICATION FOR RENEWAL OF LICENCE

The meeting closed at 11.32 am

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, 1 MARCH 2016 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE PA Davies E Dodd

Officers:

Yvonne Witchell Team Manager, Licensing
Katie Brook Senior Licensing Assistant - Technical
Katia Daw Legal Officer
Sarah Daniel Democratic Services Officer - Committees

89. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor D G Owen
Councillor P N John

90. DECLARATIONS OF INTEREST

None

91. APPROVAL OF MINUTES

RESOLVED: That the public minutes of the meetings of the Licensing Sub-Committee of 13 October 2015, 20 October 2015 and 5 January 2016 were approved as a true and accurate record of the meeting

92. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Assistant Chief Executive submitted a report regarding an application made by Mr Paul Brain to licence a Vauxhall Vivaro Minibus registration number VU12 TYC as a private hire vehicle to seat 8 persons. The application stated the vehicle is a wheelchair accessible vehicle with ramp access only and no tail lift fitted. A vehicle maintenance report was provided.

Prior to considering the application, the Chairperson adjourned the meeting, in order that Members and Officers could inspect the vehicle.

The vehicle mileage was confirmed at 69961. The vehicle was pre-owned and was first registered with the DVLA on 1 May 2012.

The Team Manager, Licensing asked Mr Brain to explain to the Sub-Committee what work he intended to use the vehicle for. Mr Brain confirmed that the vehicle would be a part of his fleet of wheelchair accessible vehicles that he planned to use for various different contracts that included school transport, day care centres and private contracts

The Sub-Committee retired to consider their decision and on their return it was:

RESOLVED: The Sub-Committee considered the application to licence a private hire vehicle VU12 TYC.

Given the vehicle was three years old it fell outside the policy for licensing wheelchair accessible vehicles as detailed in paragraph 2.2.3 of the policy. Despite this the Sub-Committee considered paragraph 2.2 which confirmed the policy could be relaxed in exceptional circumstances and noted that there were such circumstances on this occasion which included the quality and safety standards of the vehicle and the need for wheelchair accessible vehicles in the Borough. Therefore, the Sub-Committee granted the application

93. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Assistant Chief Executive submitted a report regarding an application made by Mr Philip Evans to licence a Peugeot Eurobus registration number SF65 FDC as a hackney carriage vehicle to seat 8 persons. The date of first registration of the vehicle was 21 December 2015. Mr Evans was the first registered keeper and submitted an application on 20 January 2016. The vehicle was not wheelchair accessible.

Prior to considering the application, the Chairperson adjourned the meeting, in order that Members and Officers could inspect the vehicle.

The vehicle was not required to have undertaken an MOT test. The vehicle had also not reached the required mileage where a service was recommended as it was confirmed as 607 miles.

The Team Manager, Licensing asked Mr Evans to confirm why he delayed applying to licence the vehicle until 20 January 2016. Mr Evans stated that there had been a delay in the vehicle being ready for him to collect. He added that once it was ready it was driven down from Scotland to Bridgend which was the reason for the majority of mileage on the vehicle.

The Sub-Committee retired to consider their decision and on their return it was:

RESOLVED: The Sub-Committee considered the application to licence SF65 FDC as a hackney carriage

The Sub-Committee noted that although Mr Evans was the first registered keeper of the vehicle he did not make the application within the time frames under para 2.1 and therefore it fell outside of the policy.

The Sub-Committee noted Mr Evans' reasons for not getting the application in on time and also considered para 2.2 which allowed the policy to be relaxed in exceptional circumstances. Given the age, quality, safety standards and the condition of the vehicle, the Sub-Committee were happy exceptional circumstances existed and granted the licence

94. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Assistant Chief Executive submitted a report regarding an application made by Parrot Motors Ltd to licence a Mercedes E Class saloon, vehicle registration number LM63 WUJ as a private hire vehicle to seat 4 persons.

Prior to considering the application, the Chairperson adjourned the meeting, in order that Members and Officers could inspect the vehicle.

The vehicle was pre-owned and was first registered with the DVLA on 31 October 2013. The vehicle has a service history had been provided that confirmed the servicing of the vehicle in October 2014 and August 2015. The vehicle did not require an MOT test certificate because it had not reached the threshold for an MOT test. The mileage was confirmed as 39007

The Sub-Committee retired to consider their decision and on their return it was

RESOLVED: The Sub-Committee considered the application to register LM63 WUJ as a private hire vehicle

The vehicle fell outside the new vehicle policy for licensing of a private hire vehicle found at paragraph 2.1 of the policy, however paragraph 2.2.5 gave a list of criteria which may be considered in determining whether to relax the policy. The Sub-Committee felt that several of those were in existence in this particular case including “ the exceptional condition of the exterior and interior and the exceptional safety standards”

Therefore the Sub-Committee were happy to grant the licence.

95. **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.

96. **APPROVAL OF EXEMPT MINUTES**

97. **APPLICATION FOR GRANT OF NEW LICENCE**

98. **APPLICATION FOR GRANT OF NEW LICENCE**

99. **URGENT ITEMS**

None

The meeting closed at 11.52 am

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank