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Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*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 Gweithredol a Phartneriaethol / Operational and Partnership Services

Deialu uniongyrchol / Direct line /: 01656 643148
Gofynnwch am / Ask for:

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

Dyddiad/Date: 8 June 2016

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, 14 June 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 10 May 2016
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The minutes/reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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.

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| 7. | <u>Approval of Exempt Minutes</u>
To receive for approval the Exempt Minutes of a meeting of the Licensing Sub-Committee dated 10 May 2016 | 9 - 12 |
| 8. | <u>Application for Grant of Licence</u> | 13 - 16 |
| 9. | <u>Application for Grant of Licence</u> | 17 - 22 |
| 10. | <u>Application for Grant of Licence</u> | 23 - 34 |

Yours faithfully

P A Jolley

Corporate Director Operational and Partnership Services

Distribution:

Councillors:

P James
RM James
JE Lewis

Councillors

HE Morgan
D Patel
E Venables

Councillors

R Williams

Public Document Pack Agenda Item 3

LICENSING SUB-COMMITTEE A - TUESDAY, 10 MAY 2016

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, 10 MAY 2016 AT 10.00 AM

Present

Councillor R Williams – Chairperson

P James

RM James

JE Lewis

HE Morgan

Officers:

Yvonne Witchell	Team Manager, Licensing
Katie Brook	Senior Licensing Assistant
Andrea Lee	Legal Officer
Sarah Daniel	Democratic Services Officer - Committees

100. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members

Councillor E Venables
Councillor R Jenkins

101. DECLARATIONS OF INTEREST

None

102. APPROVAL OF MINUTES

RESOLVED: That the minutes of meetings of the Licensing Sub Committee held on 15 March 2016, 17 March 2016 and 12 April 2016 were approved as a true and accurate record of the meetings.

103. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Mr William Crole to licence a Vauxhall Insignia CFI Ecoflex 2.0L Diesel 5 door hatchback vehicle registration number DS14 VML as a private hire vehicle to seat 4 persons. The vehicle was preowned and was first registered at the DVLA on 31 May 2014

The application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee. Upon inspection of the vehicle the mileage was confirmed at 32,566 miles.

The applicant confirmed that if approved he intended to use the vehicle under an umbrella company for executive travel

RESOLVED: The Sub-Committee considered the application and inspected the vehicle. The Sub-Committee considered the Councils policy on private hire vehicles and decided to grant on the basis that the vehicle is in exceptional condition

104. URGENT ITEMS

None

105. 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.

106. APPROVAL OF EXEMPT MINUTES

107. APPLICATION FOR RENEWAL OF LICENCE

108. APPLICATION FOR GRANT OF NEW LICENCE

The meeting closed at 11.25 am

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

14 JUNE 2016

REPORT OF THE CORPORATE DIRECTOR, OPERATIONAL AND PARTNERSHIP 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 Martin Pask, to licence a Volkswagen Passat SE Bluemotion Tech TDI 4 door saloon vehicle registration number NU62 PNE as a private hire vehicle to seat 4 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 28 September 2012.

- 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, a service history has been provided setting out a vehicle service history between 20/5/2014 and 18/6/2015 including a MOT test which was undertaken at 32630 miles. A current MOT certificate has been provided which was issued on 23 May 2016 when the odometer reading showed 35871 miles.

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
CORPORATE DIRECTOR, OPERATIONAL AND PARTNERSHIP SERVICES

Date 8 June 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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