

# Public Document Pack

## Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

### 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 643147  
Gofynnwch am / Ask for: Andrew Rees

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

**Dyddiad/Date:** 6 July 2016

Dear Councillor,

#### **LICENSING SUB-COMMITTEE A**

A meeting of the Licensing Sub-Committee A will be held in the Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 12 July 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 the Licensing Sub-Committee of 14 June 2016.
4. Application To Licence Private Hire Vehicle 5 - 8
5. Application To Licence Private Hire Vehicle 9 - 12
6. Exclusion of the Public  
The reports and minutes relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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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Cyfnwyd testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

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Rydym yn croesawu gohebiaeth yn y Gymraeg. Rhowch wybod i ni os yw eich dewis iaith yw'r Gymraeg

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

7. Approval Of Exempt Minutes 13 - 20  
To receive for approval the exempt Minutes of a meeting of the Licensing Sub-Committee held on 14 June 2016.
8. Local Government (Miscellaneous Provisions) Act 1976 Licensing Of Private Hire Operators Application For Renewal Of Licence 21 - 24
9. Application For Renewal Of Licence 25 - 28
10. 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.

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

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, 14 JUNE 2016 AT 10.00 AM

Present

Councillor R Williams – Chairperson

P James  
D Patel

RM James  
E Venables

JE Lewis

HE Morgan

Officers:

Nick Dennyson  
Mark Galvin  
Andrea Lee  
Yvonne Witchell

Trainee Solicitor  
Senior Democratic Services Officer - Committees  
Senior Lawyer  
Team Manager Licensing

109. APOLOGIES FOR ABSENCE

None

110. DECLARATIONS OF INTEREST

Councillor HE Morgan declared a prejudicial interest in Agenda item 9, in that he knew the applicant and members of his family. He left the meeting whilst this application was being discussed.

111. APPROVAL OF MINUTES

RESOLVED: That the public Minutes of a meeting of the Licensing Sub-Committee dated 10 May 2016, be approved as a true and accurate record.

112. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Corporate Director Operational and Partnership Services submitted a report, that requested the Sub-Committee to consider an application to grant a licence for a Private Hire Vehicle.

The Senior Licensing Assistant confirmed that application had been made by a Mr M 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. The vehicle was pre-owned and was first registered at the DVLA on 28 September 2012.

She explained that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee for the reasons contained in the report. The report was also not wheelchair accessible.

Members then proceeded to the basement car park to view the vehicle.

Upon returning to the meeting, it was confirmed to the Sub-Committee that the current mileage of the vehicle was 36,223.

**LICENSING SUB-COMMITTEE A - TUESDAY, 14 JUNE 2016**

Mr Pask confirmed that which was detailed in the report, that the vehicle had a service history, as well as being the subject of an MOT test undertaken at 32,630 miles.

RESOLVED: That the Sub-Committee approved the above application to Licence the vehicle in question as a Private Hire Vehicle, Members having determined that the vehicle is suitable for this purpose and in prestige condition, therefore agreeing that a relaxation of the Private Hire Vehicle Policy was appropriate in this case.

113. URGENT ITEMS

None

114. 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.

115. APPROVAL OF EXEMPT MINUTES

116. APPLICATION FOR GRANT OF LICENCE

117. APPLICATION FOR GRANT OF LICENCE

118. APPLICATION FOR GRANT OF LICENCE

The meeting closed at 12.15 pm

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

12 JULY 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 Premier Cars (Cardiff) Limited, to licence a Vauxhall Insignia 5 door hatchback vehicle registration number CE60 HSF as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 11 October 2010.
- 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 13/10/2011 and 01/02/2016 including a MOT test which was undertaken at 85711 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** 6 July 2016

**Contact Officer:** Yvonne Witchell  
Team Manager Licensing

**Telephone:** (01656) 643105

**E-mail:** Yvonne.Witchell@bridgend.gov.uk

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

**Background documents**

Private Hire Vehicle Application  
Private Hire Vehicle Policy Guidelines

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## BRIDGEND COUNTY BOROUGH COUNCIL

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- 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 17/12/2013 and 12/06/2015 including a MOT test which was undertaken at 49333 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.*

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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.

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7.1 None for the Authority.

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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 6 July 2016**

**Contact Officer:** Yvonne Witchell  
Team Manager Licensing

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Private Hire Vehicle Application  
Private Hire Vehicle Policy Guidelines

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