

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, 23 AUGUST 2016 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE

PA Davies

E Dodd

CJ James

Officers:

Katie Brook

Senior Licensing Technical Officer

Andrea Lee

Senior Lawyer

Andrew Rees

Senior Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

127. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor PN John.

128. DECLARATIONS OF INTEREST

The following Declaration of Interest was made:

Councillor PA Davies declared a prejudicial interest in agenda item 4 – Application to Licence Private Hire Vehicle as the applicant is known to her and withdrew from the meeting during consideration of this item.

129. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Sub-Committee of 28 June 2016 be approved as a true and accurate record.

130. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Easyway Minibus Hire Limited to licence a Mercedes Sprinter vehicle registration number EB09 WAY as a private hire vehicle to seat 8 persons.

Mr Richard Morris of Easyway Minibus Hire Limited attended in support of the application and the Sub-Committee adjourned the meeting in order to view the vehicle. On inspecting the vehicle, the mileage was confirmed as being 83,339 miles. The Team Manager Licensing informed the Sub-Committee that the vehicle is pre-owned and first registered at the DVLA on 24 April 2009, is wheelchair accessible and fitted with a tail lift. The vehicle is currently registered to Easyway Minibus Hire Limited and has been tested as a Private Service Vehicle to seat 16 passengers. She stated that the application falls outside the Private Hire Vehicle age policy for wheelchair accessible vehicles which are under three years in age at the time of application. She

also stated that there were additional policy guidelines which fall outside policy guidelines.

The Team Manager Licensing informed the Sub-Committee that the applicant had provided a Certificate of Initial Fitness; a Public Service Test Certificate; Brake test result; LOLAR examination certificate in respect of tail lift fitted to vehicle; delivery inspection handover document together with oil service and maintenance work for the vehicle. The Team Manager Licensing also informed the Sub-Committee that the applicant had been advised that it would be necessary to obtain an updated V5 Registration Certificate which showed that the vehicle is constructed and adapted to seat 8 passengers. She stated that the applicant will also be required to demonstrate that if seats have been removed or re-configured, this has been undertaken to a safe standard and all seats are anchored correctly. She also stated that the applicant had indicated that he wished to wait for a decision in principle before undertaking these requirements and in the event of the application being granted conditions be imposed relating to the V5 certification and testing of the seating, anchorage and tracking.

The applicant informed the Sub-Committee that the vehicle had been in the company's ownership for 2-3 years and had been used as a public service vehicle. In the event of the application being successful, the company proposed to use the vehicle on a contract for a special school in Penarth where there were 3 regular wheelchair users. It was proposed to use the vehicle for private hire vehicle at other times and to convey students attending Weston House at Bridgend College. The company had experienced difficulty in recruiting drivers with public service vehicle licences, but had a number of drivers holding licences to drive taxis and it would be beneficial to use the vehicle form private hire work.

The Sub-Committee retired to consider the application and on their return, it was:

**RESOLVED:** That the Sub-Committee has considered the application to licence a Mercedes Sprinter registration number EB09 WAY. The Sub-Committee has considered the application and the Council's Statement of Licensing Policy. The Sub-Committee has decided that the vehicle is in an exceptional condition and falls within the policy for wheelchair accessible vehicles and on that basis is prepared to grant the licence subject to the applicant providing an updated V5 Registration Certificate and providing evidence that the reconfiguration of the seating has been carried out to a safe standard and all seats have been anchored correctly and evidence that the vehicle has the correct tracking.

131. **URGENT ITEMS**

There were no urgent items.

132. **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 Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Act.

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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

133. APPROVAL OF EXEMPT MINUTES
134. APPLICATION FOR RENEWAL OF LICENCE
135. APPLICATION FOR GRANT OF NEW LICENCE

The meeting closed at 12.46 pm