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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

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Gwasanaethau Gweithredol a Phartneriaethol / Operational and Partnership Services

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

Ein cyf / Our ref:
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Dyddiad/Date: 22 December 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, 3 January 2017 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 1 November 2016
4. Application to Licence Hackney Carriage 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The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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 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 1 November 2016 | 9 - 14 |
| 8. | <u>Application for Renewal of Licences</u> | 15 - 18 |
| 9. | <u>Application for Grant of New Licences to drive Hackney Carriage and Private Hire Vehicles</u> | 19 - 22 |

Yours faithfully

P A Jolley

Corporate Director Operational and Partnership Services

Councillors:

P James
RM James
JE Lewis

Councillors

HE Morgan
D Patel
E Venables

Councillors

R Williams

LICENSING SUB-COMMITTEE A - TUESDAY, 1 NOVEMBER 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, 1 NOVEMBER 2016 AT 10.00 AM

Present

Councillor R Williams – Chairperson

RM James

JE Lewis

HE Morgan

E Venables

Apologies for Absence

P James and D Patel

Officers:

Katie Brook

Senior Licensing Technical Officer

Andrea Lee

Senior Lawyer

Yvonne Witchell

Team Manager Licensing

Julie Ellams

Democratic Services Officer

138. DECLARATIONS OF INTEREST

Councillor JE Lewis declared a prejudicial interest in Agenda item 10, in that she knew the wife of the applicant. She left the meeting whilst this application was being discussed

139. APPROVAL OF MINUTES

RESOLVED

That the minutes of the meeting of the Licensing Sub-Committee dated 9th August 2016 be approved as a true and accurate record.

140. URGENT ITEMS

There were no urgent items.

141. EXCLUSION OF THE PUBLIC

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.

142. APPROVAL OF EXEMPT MINUTES

LICENSING SUB-COMMITTEE A - TUESDAY, 1 NOVEMBER 2016

RESOLVED

That the exempt Minutes of a meeting of the Licensing Sub-Committee of 12 July 2016, be approved as a true and accurate record.

- 143. DISCIPLINARY HEARING FOR EXISTING LICENCE HOLDER
- 144. APPLICATION FOR RENEWAL OF LICENCE
- 145. APPLICATION FOR RENEWAL OF LICENCE
- 146. APPLICATION FOR RENEWAL OF LICENCE

The meeting closed at 11.45 am

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

3 JANUARY 2017

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

1. Purpose of Report.

- 1.1 To ask the sub-committee to consider an application to grant a licence for a hackney carriage 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 Stephen Munro, to licence a Peugeot Expert E7 MPV registration number SD58 PHA as a hackney carriage vehicle to seat 8 persons. The vehicle is wheelchair accessible but there is no tail lift fitted to the vehicle.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 5 November 2008. Records show that this vehicle was previously licensed as a hackney carriage until 1/12/2016 but no application to renew the licence was submitted. The vehicle mileage on the last maintenance report was recorded by Fleet Services as 322956 miles. No additional documentation was submitted with the application.
- 4.3 The application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee.
- 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) Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances. The general guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:

(Policy 2.2.3) In order to ensure that customers can hire taxis with the minimum delay and inconvenience, the policy may be relaxed to allow the licensing of wheelchair accessible hackney carriage or private hire vehicles up to three years old on application, provided that a full service history and safety certification, including a satisfactory conversion certification is provided with the application and the vehicle can satisfy the general licensing requirements. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.

(Policy 2.2.4) The licensee of any vehicle licensed under the Council's special policy for wheelchair accessible vehicles must ensure that the vehicle is wheelchair accessible at all times and carry such ramps etc that are necessary. The maximum seating capacity of the vehicle will be specified in the licence and must include provision for at least one wheelchair."

(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 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 20 December 2016

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Background documents

Hackney Carriage Vehicle Application
Hackney Carriage Vehicle Policy Guidelines

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