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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: Mr Mark Anthony Galvin

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

**Dyddiad/Date: 9 November 2016**

Dear Councillor,

**LICENSING SUB-COMMITTEE B**

A meeting of the Licensing Sub-Committee B will be held in Committee Rooms 2/3, Civic Offices, Angel Street, Bridgend, CF31 4WB on **Tuesday, 15 November 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 Public Minutes 3 - 6  
To receive for approval the public Minutes of a meeting of the Licensing Sub-Committee dated 18 October 2016
4. Application to Licence Private Hire Vehicle 7 - 10
5. Application to Licence Private Hire Vehicle 11 - 14
6. Application to Licence Hackney Carriage Vehicle 15 - 18
7. 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.

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Cyfnwyd testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

Text relay: Put 18001 before any of our phone numbers for the text relay service

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

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The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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

- |     |  |         |
|-----|--|---------|
| 9.  | <u>Approval of Exempt Minutes</u>  | 19 - 24 |
| 10. | <u>Application for Renewal of Licences</u>   | 25 - 28 |
| 11. | <u>Application for Grant of New Licences to drive Hackney Carriage and Private Hire Vehicles</u> | 29 - 32 |

Yours faithfully

**P A Jolley**

Corporate Director Operational and Partnership 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 ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 18 OCTOBER 2016 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE

PA Davies

E Dodd

DG Owen

Officers:

Katia Daw

Lawyer

Andrew Rees

Senior Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

136. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor CJ James

Councillor PN John

137. DECLARATIONS OF INTEREST

Councillor DG Owen declared a personal and prejudicial interest in agenda item 12 – Application for Grant of New Licence as he is known to the applicant and withdrew from the meeting during consideration thereof.

138. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meetings of the Licensing Act 2003 Sub-Committee of 17 June and 16 August 2016 and the minutes of the meeting of the Licensing Sub-Committee of 23 August 2016 be approved as a true and accurate record.

139. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Peter Dennis to licence a Ford Tourneo Custom registration number CA14 WFU as a hackney carriage vehicle to seat 8 persons.

Mr Dennis attended in support of his application and the Sub-Committee adjourned the meeting in order to view the vehicle. On inspecting the vehicle, the mileage was confirmed as 85,903 miles. The vehicle is not wheelchair accessible. The Team Manager Licensing informed the Sub-Committee that the vehicle was previously licensed as a hackney carriage until 7 September 2016 and falls outside the Hackney Carriage Vehicle Policy, including the existing discretion to relax the hackney carriage age policy in respect of wheelchair accessible vehicles.

The applicant informed the Sub-Committee in detail of the circumstances which had led to the break-up of the business partnership he was in which terminated on 6 September 2016. He was unaware at that time that the vehicle had become unlicensed as his

business partner had previously concentrated on the taxi side of the business, while he concentrated on the mini bus side of the business. He informed the Sub-Committee that business operated as a company and on the advice of his accountant dissolved the company.

The Team Manager Licensing informed the applicant of the importance of ensuring that the registration documents and vehicle insurance have the same address as the application had revealed three different addresses being used.

In response to a question from the Sub-Committee as to the reason for the high mileage on the vehicle, the applicant stated that the vehicle is used for airport runs.

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 Ford Tourneo Custom registration number CA14 WFU formerly a licenced hackney carriage until September 2016 and the reasons for the licence not being renewed.

The Sub-Committee has noted the application falls outside paragraph 2.1 of the policy but that under paragraph 2.2 of the policy may be relaxed in exceptional circumstances.

Given the exceptional quality of the vehicle and safety standards as well as the reasons for not renewing the licence 6 weeks previously, the Sub-Committee feel that there are exceptional circumstances in this case and are prepared to grant the licence.

140. **APPLICATION TO LICENCE PRIVATE HIRE VEHICLE**

The Team Manager Licensing submitted a report regarding an application by David Llewellyn to licence a Mercedes E Class vehicle registration number ML13 GWZ as a private hire vehicle to seat 4 persons.

Mr Llewellyn attended in support of his application and the Sub-Committee adjourned the meeting in order to view the vehicle. On inspecting the vehicle, the mileage was confirmed as 44,111 miles. The vehicle is pre-owned and first registered at the DVLA on 29 April 2013. The vehicle is not wheelchair accessible. The Team Manager Licensing informed the Sub-Committee that the application falls outside the policy guidelines for the first licensing of private hire vehicles. The applicant had provided a service history for the vehicle including a MOT test certificate.

The applicant informed the Sub-Committee that in the event of his application being successful he proposed to use the vehicle as part of his executive airport transfer business. He also informed the Sub-Committee that he also undertook delivery work for British Airways and the Royal Mint.

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 E Class vehicle registration number ML13 GWZ as a private hire vehicle.

The Sub-Committee has noted the application falls outside paragraph 2.1 of the Private Hire Vehicle Policy due to the age of the vehicle. The Sub-Committee has noted the provisions of

paragraph 2.2.5 which allow a relaxation of the policy in certain situations. A few of these situations apply to this vehicle including exceptional exterior and interior quality of the vehicle and exceptional standards of safety.

As such, the Sub-Committee granted the licence.

141. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by David Llewellyn to licence a Mercedes E Class vehicle registration number SG13 SNV as a private hire vehicle to seat 4 persons.

Mr Llewellyn attended in support of his application and the Sub-Committee adjourned the meeting in order to view the vehicle. On inspecting the vehicle, the mileage was confirmed as 23,106 miles. The vehicle is pre-owned and first registered at the DVLA on 6 August 2013. The vehicle is not wheelchair accessible. The Team Manager Licensing informed the Sub-Committee that the application falls outside the policy guidelines for the first licensing of private hire vehicles. The applicant had provided a service history for the vehicle including a MOT test certificate.

The applicant informed the Sub-Committee that in the event of his application being successful he proposed to use the vehicle as part of his executive airport transfer business. He also informed the Sub-Committee that he also undertook delivery work for British Airways and the Royal Mint.

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 E Class registration number SG13 SNV as a private hire vehicle.

The Sub-Committee has noted the application falls outside paragraph 2.1 of the Private Hire Vehicle Policy due to the age of the vehicle. The Sub-Committee has noted the provisions of paragraph 2.2.5 which allow a relaxation of the policy in certain situations. A few of these situations apply to this vehicle including exceptional exterior and interior quality of the vehicle and exceptional standards of safety.

As such, the Sub-Committee granted the licence.

142. URGENT ITEMS

There were no urgent items.

143. 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.

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.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

15 NOVEMBER 2016

#### REPORT OF THE CORPORATE DIRECTOR, OPERATIONAL & 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 Kevin Neck, to licence a BMW 520 D registration number Y77 KAB as a private hire vehicle to seat 4 persons. A vehicle maintenance report has been provided. The vehicle mileage on the last maintenance report on 10 June 2016 was 55572 miles.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 19 April 2012.
- 4.3 The application falls outside the Private Hire 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 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 & Partnership Services**

**Date 9 November 2016**

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



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**Background documents**

Private Hire Vehicle Application

Private Hire Vehicle Policy Guidelines

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

15 NOVEMBER 2016

#### REPORT OF THE CORPORATE DIRECTOR OPERATIONAL & PARTNERSHIP SERVICE

#### 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 Paul Brain, to licence a Vauxhall Vivaro Minibus registration number YB13 UNZ as a private hire vehicle to seat 8 persons. The application states the vehicle is a wheelchair accessible vehicle with ramp access only and no tail lift fitted. A vehicle maintenance report has been provided. The vehicle mileage on the last maintenance report on 23 April 2016 was 68774 miles.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 25 July 2013.
- 4.3 The application falls outside the Private Hire 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 & Partnership Services**

**Date 9 November 2016**

**Contact Officer:** Yvonne Witchell  
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**Background documents**

Private Hire Vehicle Application

Private Hire Vehicle Policy Guidelines

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

15 NOVEMBER 2016

#### 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 the 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. These applications are referred to Licensing Sub-Committee for determination.

###### 4. Current situation / proposal.

- 4.1 Application is made by Paul Brain trading as Peyton Travel to licence a Ford Transit registration number BF63 EHC as a hackney carriage to seat 8 persons. The application states the vehicle is a wheelchair accessible vehicle with a tail lift fitted. The applicant has not yet provided a certificate for the tail lift. A vehicle maintenance report has been provided. The vehicle mileage on the last maintenance report on 4 April 2016 was 74833 miles.

The vehicle is pre-owned and was first registered at the DVLA on 5 September 2013.

This case is referred to the Licensing Sub-Committee as the vehicle falls outside the vehicle policy for the first licensing of a hackney carriage.

###### 4.2 Policy Guidelines

The vehicle policy approved by the Licensing Committee on 10 March 2008 states as follows:

*“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.*

*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.*

4.3 The relevant guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:

*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.*

*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.

7.2 The Applicant has purchased the vehicle and paid the application fee.

## **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 & Partnership Services**  
**9 November 2016**



**Contact Officer:** **Yvonne Witchell**  
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**Background documents**

Hackney Carriage Vehicle Application Form

Hackney Carriage Policy Guidelines

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