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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 643147
Gofynnwch am / Ask for: Andrew Rees

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

Dyddiad/Date: 5 April 2017

Dear Councillor,

LICENSING SUB-COMMITTEE B

A meeting of the Licensing Sub-Committee B will be held in the Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 11 April 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 Minutes of the meeting of the Licensing Sub-Committee of 14 February 2017
4. Application to Licence Private Hire Vehicle 5 - 8
5. Application to Licence Private Hire Vehicle 9 - 12
6. Application to Licence Private Hire Vehicle 13 - 16
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.
8. Exclusion of the Public
The reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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.

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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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|-----|--|---------|
| 9. | <u>Approval of Exempt Minutes</u> | 17 - 22 |
| | To receive for approval the exempt minutes of the Licensing Sub-Committee of 14 February 2017. | |
| 10. | <u>Application for Renewal of Licences</u> | 23 - 26 |
| 11. | <u>Application for Grant of New Licences to Drive Hackney Carriage and Private Hire Vehicles</u> | 27 - 30 |

Yours faithfully

P A Jolley

Corporate Director Operational and Partnership Services

Councillors:

GW Davies MBE

PA Davies

E Dodd

Councillors

CJ James

PN John

DRW Lewis

Councillors

DG Owen

LICENSING SUB-COMMITTEE B - TUESDAY, 14 FEBRUARY 2017

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, 14 FEBRUARY 2017 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE
PN John

PA Davies
DG Owen

E Dodd

CJ James

Apologies for Absence

Officers:

Eve Bradley	Licensing Support Officer
Katie Brook	Senior Licensing Technical Officer
Andrea Lee	Senior Lawyer
Andrew Rees	Senior Democratic Services Officer - Committees
Yvonne Witchell	Team Manager Licensing

166. WELCOME

The Sub-Committee was introduced to Eve Bradley who had been newly appointed to the post of Licensing Support Officer.

167. DECLARATIONS OF INTEREST

None.

168. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Sub-Committee of 13 December 2016 and the Licensing Act 2003 Sub-Committee of 23 November and 8 December 2016 be approved as a true and accurate record.

169. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Wayne Davies licence a Mercedes S registration number W8 WDD as a private hire vehicle to seat 4 persons. The vehicle is pre-owned and was first registered at the DVLA on 4 June 2007 and was acquired by the applicant on 8 October 2014.

Mr Davies 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 69,071 miles. The Team Manager Licensing informed the Sub-Committee that the application falls outside the Private Hire Vehicle Policy, but a relaxation maybe considered in exceptional circumstances.

The applicant informed the Sub-Committee that he had purchased the vehicle for use as a wedding hire car. In the event of his application being successful, he proposed to use the vehicle as part of his fleet, and had been asked by newlyweds if they could hire the vehicle to be taken to the airport. He had also gained contracts for airport runs with Thomas Cook and Going Places. He informed the Sub-Committee that he did not possess an operator's licence at present but intended to apply for one.

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 S registration number W8 WDD as a private hire vehicle to seat 4 persons.

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. The Sub-Committee granted the licence in view of exceptional exterior and interior quality of the vehicle and exceptional standards of safety.

170. **URGENT ITEMS**

There were no urgent items.

171. **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 contained 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 so mentioned.

172. **APPROVAL OF EXEMPT MINUTES**

173. **APPLICATION FOR RENEWAL OF LICENCES**

174. **APPLICATION FOR GRANT OF NEW LICENCES TO DRIVE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

The meeting closed at 12.12 pm

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

11 April 2017

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 David Llewellyn, to licence a Mercedes E Class E220 CDI Auto Saloon vehicle registration number SL14 XDX as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 1 June 2014.
- 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 confirming servicing of the vehicle in June 2015 at 5079 miles. An MOT certificate is not required until 1 June 2017.

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 2.2.5) 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 5 April 2017

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Team Manager Licensing

Telephone: (01656) 643643

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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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BRIDGEND COUNTY BOROUGH COUNCIL

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11 April 2017

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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 Michael Anderson, to licence a BMW 318i vehicle registration number YR10 HRO as a private hire vehicle to seat 4 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 19 March 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 confirming servicing of the vehicle in January 2017 at 92973 miles, and 26 August 2015 at 74249 miles and on 26 January 2012 at 19556 miles. BMW service vehicle health checks were also undertaken at 39922 miles in December 2013, at 54127 miles on 31 July 2014, at 59460 miles on 23 October 2014.. There is a current MOT certificate in place expiring on 29 July 2017.

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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- 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 5 April 2017

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Team Manager Licensing

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- 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 Parrott Motors Ltd, to licence a silver Mercedes Vito 114 Tourer vehicle registration number YL16 SYZ as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 30 June 2016.
- 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, there is no service history relating to this vehicle. The applicant has declared a mileage of 12000 miles at the time of application and no service required based on this mileage. An MOT certificate is not required until June 2019.

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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- 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.*

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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 5 April 2017

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