

LICENSING SUB-COMMITTEE A - FRIDAY, 2 JUNE 2017

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD IN CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON FRIDAY, 2 JUNE 2017 AT 10:00

Present

Councillor DRW Lewis – Chairperson

SE Baldwin
AA Pucella

PA Davies

DK Edwards

DG Owen

Officers:

Kate Amos

Solicitor

Katie Brook

Senior Licensing Technical Officer

Mark Galvin

Senior Democratic Services Officer - Committees

Sharon Jones

Licensing Assistant

17. DECLARATIONS OF INTEREST

None.

18. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Licensing Sub-Committee dated 27 February 2017, be approved as a true and accurate record.

19. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Senior Licensing Officer (Technical) submitted a report, which requested the Sub-Committee to consider an application to grant a licence for a Private Hire Vehicle.

She advised that the application had been made by Nigel Harvey to licence a Vauxhall Insignia SE 160 CDTI, registration number DL10OTC as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 28 June 2010.

The Senior Licensing Officer (Technical) confirmed that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible, but there were specific policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, as set out in paragraph 4.4 of the report. A service history had been provided confirming servicing of the vehicle in October 2016 at 75,419 miles, and a recent MOT certificate had also been provided.

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

Upon the meeting reconvening, the Senior Licensing Officer (Technical) confirmed that the current mileage of the vehicle was 77,550.

The Chairperson asked Mr. Harvey for what purpose did he intend using the vehicle, to which he replied Hackney Carriage and Private Hire work. He added that it was his wish to have purchased a newer vehicle, however, he would not be in a position financially to do this until next year.

Officers and the applicant then retired, in order for the Sub-Committee to reach a decision upon the application. Upon their return, it was

RESOLVED: The Sub-Committee considered the application made by Mr. N Harvey to licence Vehicle DL10OTC. It had noted that the vehicle falls outside the Private Hire Vehicle Policy.

Under paragraph 2.2.5 of the Policy, a licence can be granted in exceptional circumstances, and in the case of this application the Sub-Committee decided that such circumstances were met for the following reasons:-

- (1) The exceptional interior and exterior quality.
- (2) The exceptional standards of safety.

In view of this, the Sub-Committee granted the application.

20. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Senior Licensing Officer (Technical) submitted a report, which requested the Sub-Committee to consider an application to grant a licence for a Private Hire Vehicle.

She advised that the application had been made by Steven Price, to licence a Renault Traffic SL27 vehicle, registration number CA15 KRU as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 30 June 2015.

The Senior Licensing Officer (Technical) confirmed that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible, but there were specific policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, as set out in paragraph 4.4 of the report. A service history had been provided confirming servicing of the vehicle in April 2017 at 20,527 miles, and an MOT certificate was not required until 30 June 2018.

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

Upon the meeting reconvening, the Senior Licensing Officer (Technical) confirmed that the current mileage of the vehicle was 21,860.

A Member asked Mr. Price if this was his only vehicle, to which he replied that it was, and that the main use of the vehicle would be for taxi/mini-bus work.

Officers and the applicant then retired, in order for the Sub-Committee to reach a decision upon the application. Upon their return, it was

RESOLVED: The Sub-Committee considered the application made by Mr S. Price to licence a Renault Traffic SL27 vehicle Registration Number CA15 KRU.

The Sub-Committee noted that the application falls outside the Private Hire Vehicle Policy.

Under paragraph 2.2.5 of the Policy, a licence could be granted in exceptional circumstances, and in this case, the Sub-Committee decided such circumstances are met for the following reasons:-

- (1) The exceptional interior and exterior quality.
- (2) The exceptional standards of safety.

In view of this, the Sub-Committee granted the application.

21. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 APPLICATION FOR RENEWAL OF SEX ESTABLISHMENT LICENCE THE PRIVATE SHOP, 72 BRIDGEND ROAD, ABERKENFIG

The Senior Licensing Officer (Technical) presented a report, advising that an application had been received from Darker Enterprises Ltd for the renewal of the Sex Establishment Licence in respect of the above premises, which was placed before the Sub-Committee for consideration, as powers have not been delegated under the Scheme of Delegation to Officers.

She informed Members that the applicant had informed the Licensing Section in advance of the meeting that he would be unable to attend today's meeting.

The report outlined certain background information, following which the Senior Licensing Officer (Technical) confirmed that that applicant had complied with the statutory requirements to advertise the application, and that following this, no responses had been received in response to the Public Notice and neither had any representations from Statutory Consultees been made in respect of the application. The current licence was subject to the Council's standard conditions, as well as the special conditions attached at Appendix A to the report.

She further advised, that an inspection of the premises had been carried out by the Council's Enforcement Officer and no breaches of the current licence had been identified. There was no Council policy relating to the grant of licences for this category of establishment.

Paragraph 4.7 of the report then outlined guidance for Members with regard to the application, whilst paragraph 4.8 outlined that the applicant would have a right of appeal to the Magistrates' Court if such renewal application was refused by the Sub-Committee.

A Member asked who set the renewal fee for the application of £546, to which the Senior Licensing Officer (Technical) replied that the Licensing Authority set this.

He also asked if this fee was in addition to the rates payable at the premises, to which the Officer replied that it was.

Following consideration of the application, it was

RESOLVED: That the application made by Darker Enterprises Ltd for the renewal of the Sex Establishment Licence for the above premises be granted.

22. URGENT ITEMS

None.

23. 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)

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(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.

24. APPROVAL OF EXEMPT MINUTES

RESOLVED: That the Exempt Minutes of a meeting of the Licensing Sub-Committee dated 27 February 2017, be approved as a true and accurate record.

25. APPLICATION FOR RENEWAL OF LICENCES

26. APPLICATION FOR GRANT OF LICENCES

27. APPLICATION FOR GRANT OF LICENCES

28. APPLICATION FOR GRANT OF LICENCES

29. ALL WALES CHILD PROTECTION PROCEDURES 2008

The meeting closed at 15:00