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## Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

### 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  
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#### **Gwasanaethau Gweithredol a Phartneriaethol / Operational and Partnership Services**

Deialu uniongyrchol / Direct line /: 01656 643147 /  
643148

Gofynnwch am / Ask for: Andrew Rees

Ein cyf / Our ref:

Eich cyf / Your ref:

**Dyddiad/Date: Tuesday, 8 August 2017**

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 **Thursday, 17 August 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 - 6  
To receive for approval the public Minutes of the meeting of the Licensing Sub-Committee of 11 April 2017.
4. Application to Licence Private Hire Vehicle 7 - 10
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The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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 the licensing Sub-Committee of 11 April 2017.	11 - 12
8.	<u>Application for Renewal of Licences</u>	13 - 16
9.	<u>Application for Grant of Licences</u>	17 - 20
10.	<u>Application for Grant of Licences</u>	21 - 24
11.	<u>Application for Grant of Licences</u>	25 - 28
12.	<u>Application for Grant of Licences</u>	29 - 36

Yours faithfully

**P A Jolley**

Corporate Director Operational and Partnership Services

Councillors:

RJ Collins  
T Giffard  
RM James

Councillors

B Jones  
MJ Kearn  
JE Lewis

Councillors

G Thomas

## LICENSING SUB-COMMITTEE B - TUESDAY, 11 APRIL 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, 11 APRIL 2017 AT 10.00 AM

#### Present

Councillor DRW Lewis – Chairperson

PA Davies  
E Dodd

DG Owen  
CJ James

DG Owen  
PN John

GW Davies MBE

#### Officers:

Kate Amos  
Katie Brook  
Julie Ellams  
Andrea Lee  
Yvonne Witchell

Trainee Solicitor  
Senior Licensing Technical Officer  
Democratic Services Officer - Committees  
Senior Lawyer  
Team Manager Licensing

#### 175. DECLARATIONS OF INTEREST

Councillor David Lewis declared a prejudicial interest in agenda item 6 – Application to Licence Private Hire Vehicle, as he knew the driver of the vehicle and was aware of the applicant and so withdrew from the meeting for consideration of this item.

#### 176. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Sub-Committee of 14 February 2017 be approved as a true and accurate record.

#### 177. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Mr 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.

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 16,550 miles. The Team Manager Licensing informed the Sub-Committee that the application fell outside the Private Hire Vehicle Policy, but a relaxation may be considered in exceptional circumstances.

The Applicant provided evidence that a second service had been carried out on the vehicle on 4 July 2016 and the mileage at that time was 10,495. If the licence was granted, the vehicle would be used for long distance, airport and intercity transfers. An MOT certificate was not required until 1 June 2017.

RESOLVED: The Sub-Committee heard the application to licence a Mercedes E Class E220 CDI Auto Saloon vehicle registration number SL14 XDX as a private hire vehicle to seat 4 persons. Given the age of the vehicle the Sub-Committee noted the application fell outside the private hire vehicle policy, but noted the policy guidelines regarding the first licensing of private hire vehicles which fell outside the policy guidelines.

Under paragraph 2.2.5 a licence could be granted in exceptional circumstances and in this case such circumstances were met for the following reasons:

- 1) the exceptional interior and exterior quality,
- 2) the exceptional standards of safety,

as such the Sub-Committee granted the licence.

178. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Mr Michael Anderson to licence a BMW 318i vehicle registration YR10 HRO as a private hire vehicle to seat 4 persons.

Mr Anderson 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 94,095 miles. The Team Manager Licensing informed the Sub-Committee that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee.

For Members information, a service history had 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 was a current MOT certificate in place expiring on 29 July 2017. Mr Anderson confirmed that the timing chain had been replaced at 75,000 miles and the vehicle was 7 years old.

The Applicant explained that if the licence was granted, the vehicle would be used for private hire.

RESOLVED: The Sub-Committee heard the application to licence a BMW 318i vehicle registration YR10 HRO as a private hire vehicle to seat 4 persons.

The Sub-Committee noted that due to the age of the vehicle it fell outside the private hire vehicle policy, but noted the policy guidelines regarding the first licensing of private hire vehicles which fell outside the policy guidelines.

Under paragraph 2.2.5 a licence could be granted in exceptional circumstances and in this case such circumstances were met for the following reasons:

1. the exceptional standards of safety,
2. regular servicing of the vehicle,

as such, the Sub-Committee granted the licence.

179. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application 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.

Mr Knott 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 14,651 miles. The Team Manager Licensing informed the Sub-Committee that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee.

The applicant explained that the vehicle previously belonged to Enterprise Hire and that when the vehicle was purchased, he was advised that a full service history was available on line. When he had attempted to access the service history, it was not available because the vehicle had not yet reached the required mileage for a service. An MOT certificate would not be required until June 2019. The applicant confirmed that Parrott vehicles were serviced on a daily basis by the onsite maintenance team.

RESOLVED: The Sub-Committee heard the application to licence a silver Mercedes Vito 114 Tourer vehicle registration YL16 SYZ as a private hire vehicle to seat 8 persons.

The Sub-Committee noted that as it was the first licensing of private hire vehicles it fell outside the policy guidelines regarding the first licensing of private hire vehicles which fall outside the policy guidelines.

Under paragraph 2.2.5 a licence could be granted in exceptional circumstances and in this case such circumstances were met for the following reasons:

1. exceptional interior and exterior quality,
2. the exceptional standards of safety,

as such, the sub-committee grants the licence.

180. URGENT ITEMS

There were no urgent items.

181. 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.

182. APPROVAL OF EXEMPT MINUTES

183. APPLICATION FOR RENEWAL OF LICENCES

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

The meeting closed at Time Not Specified

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

17 AUGUST 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 Robert Sheldon, to licence a Mercedes E Class Estate 220 CDI vehicle registration number MT14 UGV as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 18 June 2014. An MOT test certificate has been provided dated 21 July 2017 with the mileage recorded as 19283.
- 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.

##### 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 11 August 2017**

**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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