

# Public Document Pack

## 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  
let us know if your language choice is Welsh.*



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

Deialu uniongyrchol / Direct line /: 01656 643148 /  
643147

Gofynnwch am / Ask for: Andrew Rees

Ein cyf / Our ref:

Eich cyf / Your ref:

**Dyddiad/Date:** Wednesday, 7 March 2018

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, 13 March 2018 at 10:00**.

#### **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 18/01/2018
4. Application to Licence Private Hire Vehicle 5 - 8
5. Application to Licence Private Hire Vehicle 9 - 12
6. 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.
7. 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The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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

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such consideration.

8.	<u>Approval of Exempt Minutes</u> To receive for approval the exempt Minutes of the 18/01/2018	13 - 18
9.	<u>Application for Renewal of Licences</u>	19 - 22
10.	<u>Application for Renewal of Licences</u>	23 - 26
11.	<u>Application for Grant of Licences</u>	27 - 76
12.	<u>Application for Grant of Licences</u>	77 - 82
13.	<u>Application for Grant of Licences</u>	83 - 86
14.	<u>Application for Grant of Licences</u>	87 - 90
15.	<u>Application for Grant of Licences</u>	91 - 94

Yours faithfully

**P A Jolley**

Corporate Director Operational and Partnership Services

Councillors:

SE Baldwin

PA Davies

DK Edwards

Councillors

DRW Lewis

DG Owen

AA Pucella

Councillors

JE Williams

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD IN COMMITTEE ROOMS 2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 18 JANUARY 2018 AT 10:00

Present

Councillor DRW Lewis – Chairperson

SE Baldwin

PA Davies

AA Pucella

JE Williams

Apologies for Absence

DK Edwards

Officers:

Nick Dennison

Trainee Solicitor

Mark Galvin

Senior Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

72. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr K Edwards who was on other Council business.

73. DECLARATIONS OF INTEREST

None.

74. APPROVAL OF MINUTES

RESOLVED: That the Minutes of meetings of the Licensing Sub-Committee 'A' dated 21 September and 16 November 2017, be approved as a true and accurate record.

75. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Corporate Director Operational and Partnership Services submitted a report, that asked the Sub-Committee to consider an application to grant a licence for a Private Hire Vehicle.

The application was made by James Bickerstaff to licence a Renault Trafic Business Class registration number MD15 SXA as a Private Hire Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on 27 July 2015.

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Council Chamber basement car park, and briefly adjourned the meeting for this purpose.

Upon the meeting reconvening, the Team Manager (Licensing) advised Members that the mileage of the vehicle currently was 17,638 miles. She added 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 fell outside the policy

guidelines outlined in paragraph 4.4 of the report. A full service history of the vehicle had been provided by the applicant.

The Team Manager (Licensing) asked the applicant to give Members an outline of the history of the vehicle.

Mr. Bickerstaff confirmed that the only previous owners were an elderly couple, and that the vehicle would primarily be used, for airport trips and like trips from Bridgend to Cardiff and return for users 'nights out', etc.

**RESOLVED:** The Sub-Committee considered the application for the licence of vehicle registration number MD15 SXA as a Private Hire Vehicle.

The Sub-Committee noted that the vehicle fell outside paragraph 2.1 of the Council's Licensing Policy due to its age.

The Sub-Committee considered the exceptional circumstances under paragraph 2.2.5 of the Policy, and decided that due to the exceptional interior and exterior quality of the vehicle, and exceptional standards of safety, Members agreed to grant the application.

76. **URGENT ITEMS**

None.

77. **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.

78. **APPROVAL OF EXEMPT MINUTES**

79. **APPLICATION FOR GRANT OF LICENCES**

80. **APPLICATION FOR GRANT OF LICENCES**

81. **APPLICATION FOR GRANT OF LICENCES**

82. **APPLICATION FOR GRANT OF LICENCES**

The meeting closed at 13:00

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

13 MARCH 2018

#### 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 Richard Singleton, to licence a Mercedes S350L vehicle registration number KY63 HLW 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 February 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 full service history has been provided confirming the mileage at 8577 on the 28 November 2014 and 13142 on the 14 June 2016.

##### 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 7 March 2018**

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

**Telephone:** (01656) 643643

**E-mail:** Yvonne.Witchell@bridgend.gov.uk

**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

### REPORT TO LICENSING SUB COMMITTEE

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###### 1. Purpose of Report.

- 1.1 To ask the sub-committee to consider an application to grant a licence for a private hire vehicle.

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- 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 Forge Travel Limited, to licence a VW Transporter vehicle registration number GJ16 XJP as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 7 April 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 no service history has been provided and the vehicle falls in line with VW Flexible Service Regime.

###### 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*

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- 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.*

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**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 7 March 2018**

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Team Manager Licensing

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