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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  
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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:** Friday, 13 October 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 **Thursday, 19 October 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 - 12  
To receive for approval the public Minutes of the meetings of the Licensing Sub-Committee of 30 June and 17 August 2017 and the Minutes of the Licensing Act 2003 Sub-Committee of 27 June 2017.
4. Application to Licence Private Hire Vehicle 13 - 16
5. Application to Licence Hackney Carriage Vehicle 17 - 20
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The minutes and reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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.

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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.

- |     |  |         |
|-----|--|---------|
| 8.  | <u>Approval of Exempt Minutes</u>  | 21 - 38 |
|     | To receive for approval the exempt minutes of the meetings of the Licensing Sub-Committee of 30 June and 17 August 2017. |         |
| 9.  | <u>Application for Renewal of Licences</u>   | 39 - 42 |
| 10. | <u>Application for Renewal of Licences</u>   | 43 - 46 |
| 11. | <u>Application for Grant of Licences</u>   | 47 - 52 |
| 12. | <u>Application for Grant of Licences</u>   | 53 - 58 |
| 13. | <u>Application for Grant of Licences</u>   | 59 - 64 |

Yours faithfully

**P A Jolley**

Corporate Director Operational and Partnership Services

Councillors:

RJ Collins  
A Hussain  
RM James

Councillors

B Jones  
MJ Kearn  
JE Lewis

Councillors

G Thomas

## LICENSING SUB-COMMITTEE B - FRIDAY, 30 JUNE 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 FRIDAY, 30 JUNE 2017 AT 10.00 AM

### Present

Councillor – Chairperson

RJ Collins

JE Lewis

G Thomas

### Apologies for Absence

T Giffard, RM James, B Jones and MJ Kearn

### Officers:

Katia Daw

Lawyer

Mark Galvin

Senior Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

### 1. APPOINTMENT OF CHAIRPERSON (FOR THE MEETING)

In the absence of Councillor Kearn, Members agreed by a unanimous decision to appoint Councillor G Thomas as Chairperson for the meeting.

### 2. DECLARATIONS OF INTEREST

None

### 3. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager – Licensing presented a report that 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 Martin Carter to licence a Mercedes Vito vehicle registration number EN66 HRK as a private hire vehicle to seat 7 persons. The vehicle was pre-owned and was first registered at the DVLA on 31 December 2016.

The Team Manager – Licensing 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. No service history in respect of the vehicle had been provided.

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

Upon the meeting reconvening, the Team Manager – Licensing confirmed that the current mileage of the vehicle was 2,872.

Mr. Carter advised the Sub-Committee that he had arranged an MOT for the vehicle even though he had not been required to do this. He added that the vehicle was a former demonstration vehicle for Mercedes and that he had purchased it in the main to undertake chauffeuring as a private hire vehicle.

Members then retired to consider the application further and upon their return, it was

RESOLVED: The Sub-Committee considered the application made by Mr. M Carter to licence EN66 HRK. It noted that the application falls outside the Licensing Policy for first registration under paragraph 2.1. However, Members also considered paragraph 2.2 and 2.2.5 of the Policy and the exceptional circumstances in which the Policy may be relaxed ie exceptional condition of interior and exterior, and exceptional standards of safety.

Both of the above Members felt were relevant factors in this case.

The Sub-Committee therefore granted the application for licence.

4. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager – Licensing presented a report that 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 Miles Hodges to licence a Skoda Superb vehicle registration number GX15 CSZ as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 9 July 2015.

The Team Manager – Licensing 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 in respect of the vehicle confirming that the vehicle was serviced in August 2016 at 15,346 miles.

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

Upon the meeting reconvening, the Team Manager – Licensing confirmed that the current mileage of the vehicle was 26,044.

Mr Hodges advised Members that he was looking to downsize his work commitments and do more private hire than hackney carriage work, and therefore, he felt that he needed a smaller vehicle for this purpose. He confirmed that the vehicle had one previous owner.

The Team Manager – Licensing asked Mr Hodges which operator he was linked to, to which he replied Ace Taxi's Porthcawl.

Members then retired to consider the application further, whereupon on their return, it was

RESOLVED: The Sub-Committee considered the application made by Mr. M Hodges to licence GX15 CSZ. It noted that the application falls outside the Licensing Policy for first registration under paragraph 2.1. However, Members also considered paragraph 2.2 and 2.2.5 of the Policy and the exceptional circumstances in which the Policy may be relaxed ie exceptional condition of interior and exterior, and exceptional standards of safety.

Both of the above Members felt were relevant factors in this case.

The Sub-Committee therefore granted the application for licence.

5. URGENT ITEMS

None.

6. 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 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.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

8. APPLICATION FOR RENEWAL OF LICENCES

9. APPLICATION FOR RENEWAL OF LICENCES

10. APPLICATION FOR GRANT OF LICENCES

11. APPLICATION FOR GRANT OF LICENCES

The meeting closed at 1.42pm

The meeting closed at 1.35 pm

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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 17 AUGUST 2017 AT 10.00 AM

Present

Councillor – Chairperson

RJ Collins  
MJ Kearn

T Giffard  
JE Lewis

RM James  
G Thomas

B Jones

Officers:

Kate Amos  
Andrew Rees  
Yvonne Witchell

Trainee Solicitor  
Senior Democratic Services Officer - Committees  
Team Manager Licensing

12. DECLARATIONS OF INTEREST

Councillor G Thomas declared a prejudicial interest in agenda item 10 – Application for Grant of Licences as the driver is a friend. Councillor Thomas left the meeting prior to the application being considered.

13. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Sub-Committee of 11 April 2017 be approved as a true and accurate record.

14. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Mr 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. The vehicle is pre-owned and was first registered at the DVLA on 18 June 2014.

Mr Sheldon 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 19,892 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 in the event of his application being successful, he proposed to use the vehicle as part of his fleet, for airport and cruise terminal transfers.

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 Estate 220 CDI vehicle registration number MT14 UGV 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 exceptional circumstances. The Sub-Committee considers that such

circumstances are met and granted the licence in view of exceptional exterior and interior quality of the vehicle and exceptional standards of safety.

15. URGENT ITEMS

There were no urgent items.

16. 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.

17. APPROVAL OF EXEMPT MINUTES

18. APPLICATION FOR RENEWAL OF LICENCES

19. APPLICATION FOR GRANT OF LICENCES

20. APPLICATION FOR GRANT OF LICENCES

21. APPLICATION FOR GRANT OF LICENCES

22. APPLICATION FOR GRANT OF LICENCES

The meeting closed at 1.54 pm



MINUTES OF A MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE (B) HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 27 JUNE 2017 AT 10.00 AM

Present

Councillor MJ Kearns – Chairperson

B Jones

G Thomas

Officers:

Mark Galvin

Senior Democratic Services Officer - Committees

Andrea Lee

Senior Lawyer

Yvonne Witchell

Team Manager Licensing

39. APOLOGIES FOR ABSENCE

None.

40. DECLARATIONS OF INTEREST

None.

41. LICENSING ACT 2003: SECTION 17, APPLICATION FOR PREMISES LICENCE, 35 MARKET STREET, BRIDGEND.

The Team Manager Licensing outlined the report which was in respect of an application made by Clyne Property Enterprises Ltd for a new Premises Licence for an unnamed premises at 35 Market Street, Bridgend. The premises consisted of a ground floor and is described as a bar/nightclub in a town centre location.

The report gave some background information to the application that including the hours being applied for by the applicant for licensable activities, regulated entertainment and the hours of opening they proposed for the sale of alcohol, as detailed in paragraph 3.2 of the report. Appendix A showed the application form, together with a proposed licence plan.

The Team Manager Licensing advised that representations to the application had been received from the Chief Officer of Police, and these were set out in Appendix B to the report. All other representations made in respect of the application had been agreed and the application had been amended to that as detailed in paragraph 4.1 of the report.

Sections 5, 6 and 9 of the Council's Statement of Licensing Policy were relevant to the application, with Section 6 relating to a special policy in force in relation to the cumulative impact of premises in Bridgend town centre, and specifically Market Street, Bridgend, where the premises was located.

The Team Manager Licensing was aware that the applicant (and his Solicitor) and the Police representatives wished to discuss the implementation of further Conditions to be added to the Operating Schedule of the Premises Licence should the Sub-Committee be minded to grant the application, as recommended by the Police.

The applicant's Solicitor confirmed this, adding that yesterday the Police had suggested certain further Conditions and a considerable number if not all of these his client would agree to, and rather than discuss these in detail in the meeting, he felt it would be

advisable if the Chairperson would consider adjourning the meeting so that these added Conditions can be discussed with the representatives of the Police outside of the meeting. Even though these Conditions may be agreed to, he felt that the Hearing would still go ahead as notwithstanding the further recommended Conditions, the Police were still intent on objecting to the application.

The Chairpersons asked the Police representatives if they agreed to the request for adjournment, to which they replied that they were. PC Egan felt this would help fast track proceedings even though it would not result in the Police withdrawing their objection to the application.

The Sub-Committee then retired to consider the request for adjournment, and when they returned to the Chamber they agreed to adjourn the meeting for the above purpose so requested.

Upon the Sub-Committee reconvening, the team Manager Licensing confirmed that both parties had agreed to the suggested further Conditions of the Police, and she sought clarification that the further documents exchanged after the agenda and accompanying report had been distributed, had been served on all parties. These were:-

- An email from PC David Rees to Licensing Section and Mr. Bill Parry with the list of recommended further Conditions dated 26 June 2017
- Further information from PC David Rees to Licensing Section and Mr. Bill Parry sent by email on 22 June 2017 containing photograph images of a disturbance at the premises, together with other sensitive information that would be required to be considered at the meeting in closed session.
- An email from Mr. Bill Parry to Licensing Section and South Wales Police dated 23 June 2017 attaching the existing Premises Licence

The Team Manager Licensing added that Mr. Parry had also sent out an email to interested parties enclosing a Plan of the premises, together with an Action Plan and logs including details of registered Door Control staff who work at the premises.

In terms of the added Conditions of the Police as agreed upon by his client, he advised the Chairperson that these would be handed to him and Sub-Committee Members to include as part of any future decision of members, if they agreed to grant the application.

The Team Manager Licensing continued with her introduction of the report, by adding that there were some matters that were going to be raised by the Police as part of their submission, that would necessitate going into closed session for which any press or public would be required to be excluded from the meeting.

The applicant's Solicitor referred to the representations of the Police as detailed in Appendix B to the report, and page 33 onward where concerns had been raised by them over the Designated Premises Supervisor who would be responsible for the operation of 35 Market Street. He questioned the relevance of this to the application before Members. He felt that it was the role of the Sub-Committee to concentrate on the premises and the hours proposed for the operation of this, as opposed to the people who would be employed at the premises. He added that the Licensing Act had been set-up with this in mind, and the fact that Personal Licences and Premises Licences should be set apart.

To this end, he referred to Section 18 of the Licensing Act 2003, Sub-section 6 where it quoted that 'For the purposes of this Section, 'relevant representations' means representations which, a) Are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives, and c) If they relate to the identity of the

person named in the application as the proposed premises supervisor, and meet the requirements of subsection 9 of the Act. Subsection 9 he continued stated that 'The requirements of this subsection are that the representations a) Were made by a Chief Officer of Police for a police area in which the premises are situate, and b) Include a statement that, due to the exceptional circumstances of the case, he is satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective.

In respect to b) above, the applicant's Solicitor advised that he could not find such a Statement from the Police in any of their evidence, that confirmed that designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective. This was required under the Act, should the Police consider that the proposed premises supervisor was not a fit and proper person to be ultimately responsible and accountable for the operation of the premises. In view of these provisions of the Act, his client contended that the information detailed under the sub-heading "Applicant" on page 33 of the representations of the Police overleaf to page 34, were not relevant to the application.

PC Sarah Egan advised that she had been of the opinion that the evidence and representations submitted by the South Wales Police including information regarding concerns over the Designated Premises Supervisor for 35 Market Street were sufficient enough to be deemed as a 'Statement' under the terms of the Act. If however this was not the case, she would suggest that the meeting stands adjourned in order that the Police could have time to put such a statement together for consideration by the Sub-Committee.

The applicant's Solicitor when asked if he was happy to consider an adjournment for this purpose, advised the Sub-Committee that he and his client objected to the meeting being adjourned, adding that if the Police had concerns over the Designated Premises Supervisor then this should have been included as an official Statement in the evidence provided by the South Wales Police.

Members having heard the above agreed for a further adjournment of the meeting, in order that they could consider the request of the Police to adjourn the meeting to a different date, in order that they have further time to prepare the Statement in question.

Upon the Sub-Committee once more reconvening, it was

RESOLVED: That in order to ensure fairness for all parties involved in the application, and to consider further evidence to be submitted by the South Wales Police, the Sub-Committee agreed to adjourn the meeting to a future date suitable for all parties.

The meeting adjourned at 11.10am

The meeting closed at 11.35 am

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

19 OCTOBER 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 Richard Phillips, to licence a Ford Transit Tourneo Custom vehicle registration number WR64 YDC 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 November 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 the mileage at 39114 on 5 November 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 13 October 2017**

**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

19 OCTOBER 2017

#### 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 an 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. 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 t/a Peyton Travel Limited, to licence a Dacia Logan vehicle registration number EX66 FFB as a hackney carriage vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 26 November 2016.
- 4.3 The application falls outside the Hackney Carriage 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 hackney carriage vehicles which fall outside policy guidelines, which are set out below. For Members' information, there is no service history available for this vehicle.

##### 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 13 October 2017**

**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**

Hackney Carriage Vehicle Application  
Hackney Carriage Vehicle Policy Guidelines

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of the Local Government Act 1972.

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