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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
let us know if your language choice is Welsh.*



Annwyl Cyngorydd,

IS-BWYLLGOR TRWYDDEDU (B)

Cynhelir Cyfarfod Is-Bwyllgor Trwyddedu (B) yn Ystafelloedd Pwyllgor 2/3 - Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr CF31 4WB ar **Dydd Mercher, 18 Ebrill 2018 am 10:00**.

AGENDA

1. Ymddiheuriadau am absenoldeb
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. Cymeradwyaeth Cofnodion 3 - 6
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 13 02 18
4. Cais i Drwyddedu Cerbyd Hurio Preifat 7 - 10
5. Cais i Drwyddedu Cerbyd Hacnai 11 - 14
6. Cais i Drwyddedu Cerbyd Hacnai 15 - 18
7. Materion Brys
I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (pharagraff 4) o'r Rheolau Trefn y Cyngor yn y Cyfansoddiad.
8. Gwahardd y Cyhoedd

Ffôn/Tel: 01656 643643

Negeseuon SMS/ SMS Messaging: 07581 157014

Facs/Fax: 01656 668126

Twitter@bridgendCBC

Ebost/Email: talktous@bridgend.gov.uk

Gwefan/Website: www.bridgend.gov.uk

Cyfnwidi testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

Text relay: Put 18001 before any of our phone numbers for the text relay service

Rydym yn croesawu gohebiaeth yn y Gymraeg. Rhowch wybod i ni os yw eich dewis iaith yw'r Gymraeg

We welcome correspondence in Welsh. Please let us know if your language choice is Welsh

Nid oedd y cofnodion ac adroddiadau sy'n ymwneud â'r eitemau canlynol yn cael eu cyhoeddi, gan fod eu bod yn cynnwys gwybodaeth eithriedig fel y'i diffinnir ym Mharagraffau 14 a 16 o Ran 4 a Pharagraff 21 o Ran 5, Atodlen 12A, Deddf Llywodraeth Leol 1972, fel y'i newidiwyd gan Orchymyn Llywodraeth Leol (Cymru) 2007 (Mynediad at Wybodaeth) (Amrywio).

Os, yn dilyn cymhwyso'r prawf budd y cyhoedd yn yr Is-Bwyllgor yn penderfynu yn unol â'r Ddeddf i ystyried yr eitemau hyn yn breifat, bydd y cyhoedd yn cael eu gwahardd o'r cyfarfod yn ystod ystyriaeth o'r fath.

- | | | |
|-----|---|---------|
| 9. | <u>Cymeradwyaeth Cofnodion wedi'u Eithrio</u>
I dderbyn am gymeradwyaeth y Cafnodian gwahardd Cyfardod y 13/02/2018. | 19 - 22 |
| 10. | <u>Ceisiadau i Gymeradwyo Trwyddedau</u> | 23 - 26 |
| 11. | <u>Ceisiadau i Gymeradwyo Trwyddedau</u> | 27 - 30 |
| 12. | <u>Gwrandawriad Disgyblu ar gyfer Gyrrwr Tacsï Presennol</u> | 31 - 42 |

Yn ddiffuant

P A Jolley

Cyfarwyddwr Gwasanaethau Gweithredol a Phartneriaethol

Dosbarthiad:

Cynghowrwy

RJ Collins
A Hussain
RM James

Cynghorwyr

B Jones
MJ Kearn
JE Lewis

Cynghorwyr

G Thomas

Presennol

Y Cyngorydd MJ Kearns – Cadeirydd

A Hussain

RM James

JE Lewis

G Thomas

Ymddiheuriadau am Absenoldeb

RJ Collins

Swyddogion:

Katie Brook

Uwch Swyddog Trwyddedu (Technegol)

Andrea Lee

Uwch Cyfreithiwr

Michael Pitman

Prentys Busnes Gweinyddol Gwasanaethau Democrataidd

Andrew Rees

Uwch Swyddog Gwasanaethau Democrataidd - Pwyllgorau

46. DATGANIADAU O FUDDIANT

Datganodd y Cyng. J E Lewis fuddiant sy'n rhagfarnu yn eitem 11 ar yr agenda - cais am ganiatáu trwyddedau, gan ei bod hi'n adnabyddus i'r ymgeisydd, a gadawodd yr ystafell pan ystyriwyd y cais.

47. CYMERADWYO'R COFNODION

PENDERFYNWYD:

Cymeradwyo cofnodion yr Is-Bwyllgor Trwyddedu ar 12 Rhagfyr 2017 fel cofnod gwir a chywir.

48. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd yr Uwch Swyddog Technegol Trwyddedu adroddiad ynghylch cais gan Mr Richard Singleton i drwyddedu Mercedes S350L, rhif cofrestru KY63 HLW fel cerbyd hurio preifat i gario 4 person.

Roedd y cerbyd wedi bod â pherchennog blaenorol ac fe'i cofrestrwyd gyntaf ar 4 Medi 2015.

Daeth Mr Singleton i'r cyfarfod heddiw i gefnogi ei gais a gohiriodd yr Is-bwyllgor y cyfarfod i archwilio'r cerbyd. Wrth archwilio'r cerbyd nodwyd mai nifer y milltiroedd oedd 21,112.

Gan ailddechrau'r cyfarfod yn fuan wedyn, ar ôl archwilio'r dogfennau a anfonwyd gan Mr Singleton, sylwyd bod gwahaniaeth rhwng y milltiroedd a nodwyd arnynt o'u cymharu â'r milltiroedd ar y cloc. Dangosai'r dogfennau mai nifer y milltiroedd oedd 55958.

Esboniodd Mr Singleton ei fod yn credu bod camgymeriad gweinyddol wedi ei wneud, a bod ei wraig mae'n debyg wedi anfon y dogfennau anghywir ato. Ond nid oedd yn cofio i unrhyw un o'i gerbydau fod â 55,000 o filltiroedd ac esboniodd eu bod naill ai yn yr ystod 20,000-30,000 neu dros 100,000.

PENDERFYNWYD: Gan nad oedd gan yr Is-bwyllgor unrhyw ffordd o gadarnhau'r milltiroedd, gohiriwyd ystyried y cais tan ddyddiad diweddarach.

49. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd yr Uwch Swyddog Technegol Trwyddedu adroddiad ynghylch cais gan Mr Richard Singleton i drwyddedu Mercedes E220 AMG, rhif cofrestru LT65 JKE fel cerbyd hurio preifat i gludo 4 person.

Daeth Mr Singleton i'r cyfarfod heddiw i gefnogi ei gais a gohiriodd y pwyllgor y cyfarfod i archwilio'r cerbyd. Wrth archwilio'r cerbyd nodwyd mai nifer y milltiroedd oedd 28,223.

Gohiriwyd yr Is-bwyllgor i ystyried y cais ymhellach ac ar ôl dychwelyd:

PENDERFYNWYD: Ystyriodd yr Is-bwyllgor y cais am drwyddedu cerbyd rhif cofrestru LT65 JKE.

Nododd yr Is-bwyllgor fod y cais yn disgyn y tu allan i baragraff 2.1 canllawiau polisi trwyddedu'r cyngor.

Caniataodd yr Is-bwyllgor y cais a wnaed gan Mr Singleton i drwyddedu Mercedes E220 AMG, rhif cofrestru LT65 JKE fel cerbyd hurio preifat i gludo 4 o bobl gan ei fod yn bodloni paragraffau 2.2 a 2.2.5 oherwydd cyflwr eithriadol y cerbyd.

50. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd yr Uwch Swyddog Technegol Trwyddedu adroddiad ynghylch cais gan Mr Richard Singleton i drwyddedu Mercedes Viano, rhif cofrestru V66 RDS fel cerbyd hurio preifat i gludo 7 o bobl.

Roedd Mr Singleton yn y cyfarfod heddiw i gefnogi ei gais a gohiriodd y pwyllgor y cyfarfod i archwilio'r cerbyd. Wrth archwilio'r cerbyd nodwyd mai nifer y milltiroedd oedd 102,566.

Gohiriwyd yr Is-bwyllgor i ystyried y cais ymhellach ac ar ôl dychwelyd:

PENDERFYNWYD: Ystyriodd y pwyllgor y cais a wnaed gan Mr Singleton i drwyddedu Mercedes Viano, rhif cofrestru V66 RDS

Nododd yr Is-bwyllgor fod y cais yn disgyn y tu allan i baragraff 2.1 canllawiau polisi trwyddedu'r cyngor.

Caniataodd yr Is-bwyllgor y cais a wnaed gan Mr Singleton i drwyddedu Mercedes Viano, rhif cofrestru V66 RDS fel cerbyd hurio preifat i gludo 7 o bobl gan ei fod yn bodloni paragraffau 2.2 a 2.2.5 oherwydd cyflwr eithriadol y cerbyd.

51. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd yr Uwch Swyddog Technegol Trwyddedu adroddiad ynglŷn â chais gan Peyton Travel i drwyddedu Renault Trafic, rhif cofrestru WN15, CVW fel cerbyd hurio preifat i gludo 8 o bobl

IS-BWYLLGOR TRWYDDEDU (B) - DYDD MAWRTH, 13 CHWEFROR 2018

Roedd Paul Brain yn y cyfarfod heddiw i gefnogi ei gais a gohiriodd y pwyllgor y cyfarfod i archwilio'r cerbyd. Wrth archwilio'r cerbyd nodwyd mai nifer y milltiroedd oedd 58,009

Gohiriwyd yr Is-bwyllgor i ystyried y cais ymhellach ac ar ôl dychwelyd:

PENDERFYNWYD: Ystyriodd y pwyllgor y cais a wnaed gan Peyton Travel i drwyddedu Renault Trafic, rhif cofrestru WN15 CVW

Nododd yr Is-bwyllgor fod y cais yn disgyn y tu allan i baragraff 2.1 canllawiau polisi trwyddedu'r cyngor.

Caniataodd yr Is-bwyllgor y cais a wnaed gan Peyton Travel i drwyddedu Renault Trafic, rhif cofrestru WN15 CVW15 fel cerbyd hurio preifat i gludo 8 o bobl gan ei fod yn bodloni paragraffau 2.2 a 2.2.5 oherwydd cyflwr eithriadol y cerbyd.

52. EITEMAU BRYD

Nid oedd unrhyw eitemau bryd

53. GWAHARDD Y CYHOEDD

PENDERFYNWYD: O dan Adran 100A(4) Deddf Llywodraeth Leol 1972 fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad i Wybodaeth) (Amrywio) (Cymru) 2007, y dylid gwahardd y cyhoedd o'r cyfarfod wrth ystyried yr eitemau busnes canlynol gan eu bod yn cynnwys gwybodaeth eithriedig fel y'i diffinnir ym Mharagraff 12 Rhan 4 a / neu Baragraff 21 Rhan 5 Atodlen 12A y Ddeddf.

Yn dilyn cymhwyso prawf budd y cyhoedd penderfynwyd, yn unol â'r Ddeddf y cyfeirir ati uchod, ystyried yr eitemau canlynol yn breifat, gyda'r cyhoedd wedi ei eithrio o'r cyfarfod, gan yr ystyrid yn yr holl amgylchiadau yn ymwneud â'r eitemau, bod budd y cyhoedd o ran cadw'r eithriad yn gorbwyso budd y cyhoedd wrth ddatgelu'r wybodaeth, oherwydd byddai'r wybodaeth yn niweidiol i'r ymgeiswyr a grybwyllid felly.

54. CYMERADWYO COFNODION EITHRIEDIG

55. CAIS AM GANIATÁU TRWYDDEDAU

56. CAIS I GANIATÁU TRWYDDEDAU

Daeth y cyfarfod i ben am 11:17

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

18 APRIL 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 Samuel Griffiths, to licence a Vauxhall Insignia vehicle registration number BN15 JYP as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 28 April 2015.
- 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 an MOT has been provided which was issued on the 10 November 2017 with the mileage of the vehicle at 60115.

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 12 April 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

18 APRIL 2018

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 Mohammed S Miah to licence a Toyota Active vehicle registration number MF18 GZH as a hackney carriage vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 1 March 2018.
- 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, no service history has been provided.
- 4.4 The applicant has not provided a reason why the application was submitted outside the published guidelines.

4.5 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 2.2.1) A relaxation of the policy in respect of the hackney carriages is likely to relate to only to evidenced delay in the DVLA registration process or minor variations in delivery mileage. Applications will normally be dealt with under the Scheme of Delegations of Officers.

(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 12 April 2018

Contact Officer: Yvonne Witchell
Team Manager Licensing

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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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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

18 APRIL 2018

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 Jamshad Iqbal to licence a Skoda Octavia vehicle registration number KH07 ANG as a hackney carriage vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 9 March 2018.
- 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, no service history has been provided.
- 4.4 The applicant has not provided a reason why the application was submitted outside the published guidelines.

4.5 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 2.2.1) A relaxation of the policy in respect of the hackney carriages is likely to relate to only to evidenced delay in the DVLA registration process or minor variations in delivery mileage. Applications will normally be dealt with under the Scheme of Delegations of Officers.

(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 12 April 2018

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Background documents

Hackney Carriage Vehicle Application

Hackney Carriage Vehicle Policy Guidelines

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