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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
dewis iaith.*

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



**Cyfarwyddiaeth y Prif Weithredwr / Chief
Executive's Directorate**

Deialu uniongyrchol / Direct line /: 01656 643148 /
643147

Gofynnwch am / Ask for: Michael Pitman

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 25 July 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, 31 July 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 - 14
To receive for approval the Minutes of the 08/05/2018 and 05/06/2018
4. Application To Licence Private Hire Vehicle 15 - 18
5. Application To Licence Private Hire Vehicle 19 - 22
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The reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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.

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| 8. | <u>Approval of Exempt Minutes</u> To receive for approval the exempt Minutes of the 05/06/2018 | 23 - 26 |
| 9. | <u>Application for Grant Of Licences</u> | 27 - 30 |
| 10. | <u>Disciplinary Hearing for existing Taxi Driver</u> | 31 - 36 |

Yours faithfully

K Watson

Head of Legal and Regulatory Services

Councillors:

SE Baldwin

TH Beedle

RJ Collins

Councillors

DRW Lewis

DG Owen

AA Pucella

Councillors

JE Williams

LICENSING SUB-COMMITTEE A - TUESDAY, 8 MAY 2018

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD IN COMMITTEE ROOMS 2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 8 MAY 2018 AT 10:00

Present

Councillor DRW Lewis – Chairperson

DG Owen

AA Pucella

JE Williams

Apologies for Absence

SE Baldwin, PA Davies and DK Edwards

Officers:

Katia Daw

Lawyer

Mark Galvin

Senior Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

97. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:-

Councillor SE Baldwin

Councillor PA Davies

Councillor DK Edwards

98. DECLARATIONS OF INTEREST

None

99. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Licensing Sub-Committee A dated 13 March 2018, be approved as a true and accurate record.

100. APPLICATION TO LICENCE HACKNEY CARRIAGE 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 Hackney Carriage Vehicle.

The application was made by Jamshad Iqbal to licence a Skoda Octavia vehicle registration number KH07 ANG as a Hackney Carriage Vehicle Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 9 March 2018.

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 790 miles. She added that the application fell outside the Hackney Carriage 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 Hackney Carriage Vehicles which fell outside the policy

guidelines outlined in paragraph 4.4 of the report. No service history of the vehicle had been provided by the applicant, as the vehicle was only 2 months old.

The Team Manager (Licensing) asked the applicant to advise Members what he intended using the vehicle for, and he replied that it would be used for routine taxi work primarily in Bridgend and that he would be an independent driver.

In response to a further question from the Officer, he replied that there had been a delay in him submitting his application due to the inclement weather the country experienced in March, which had resulted in the delivery of the vehicle to him being delayed.

The applicant and Officers then left the meeting whilst Members determined the application, and upon their return, it was

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number KH07 ANG as a Hackney Carriage Vehicle.

Members noted the application falls outside the Licensing Policy at paragraph 2.1 because it has been over 14 days since the first registration, which took place on 9 March 2018.

The Sub-Committee also noted the reasons given for the delay in submitting the application, including the delay in the vehicle being provided to the applicant due to reasons of adverse weather conditions. The policy is clear at paragraph 2.2 that it can be relaxed in exceptional circumstances and at paragraph 2.2.1 an example is a delay in the DVLA and delivery mileage.

In this case therefore, the Sub-Committee were prepared to grant the licence.

101. 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 Jeffrey Evans, to licence a Mercedes Benz Vito Tourer vehicle registration number EG16 AAE as a Private Hire Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on 20 July 2016.

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 28,148 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. For Members information a service history of the vehicle as issued on 14 March 2017, with the then mileage of the vehicle being 15,798.

The Team Manager (Licensing) asked the applicant to confirm to Members what the vehicle would be used for.

Mr. Evans advised that he had picked up the vehicle from Southport around a month ago, and that he would be using it for private hire work as part of his semi-retirement plans. He added that he had been a taxi driver for 4 years.

A Member noted when inspecting the vehicle, that the outer rim of the back tyres seemed well worn.

The applicant advised that he would visit a garage upon leaving the meeting, in order to establish if these tyres were still roadworthy or whether they would require replacing.

The applicant and Officers then left the meeting whilst Members determined the application, and upon their return, it was

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number EG16 AAE as a Private Hire Vehicle.

Members noted that the application falls outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allows it to be relaxed in exceptional circumstances, and examples of these were detailed in paragraph 2.4 of the Policy.

Having examined the vehicle the Sub-Committee felt that the vehicle was exceptional in terms of its quality both interior and exterior, as well as being excellent in terms of its safety qualities.

In view of this, the Sub-Committee therefore granted the licence.

102. 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 Kathryn Leigh to licence a Mercedes Benz Y8 DET as a Private Hire Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 31 January 2013.

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 73,906 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. An MOT had been provided which was issued on 5 March 2018 with the mileage of the vehicle then being 72,980. A full service history of the vehicle had been provided, confirming the mileage at 16,470 on 17 March 2014; 29,838 on 1 April 2015 and 56,264 on 8 October 2016.

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

Ms. Leigh confirmed that the vehicle had been purchased privately, and the intention was to use it for corporate work and trips taking holidaymakers to and from airports, etc.

The applicant and Officers then left the meeting whilst Members determined the application, and upon their return, it was

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number Y8 DET as a Private Hire Vehicle.

Members noted that the application falls outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allows it to be relaxed in exceptional circumstances, and examples of these were detailed in paragraph 2.4 of the Policy.

Having examined the vehicle the Sub-Committee felt that the vehicle was exceptional in terms of its quality both interior and exterior, as well as being excellent in terms of its safety qualities.

In view of this, the Sub-Committee therefore granted the licence.

103. 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 Paul Brain t/a Peyton Travel Limited, to licence a Ford to licence a Ford Tourneo Custom 300 Ltd E-Tech vehicle registration number CU16 EFS as a Private Hire Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on 1 March 2016.

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 27,585 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 service history of the vehicle had not been provided by the applicant, as the vehicle mileage was lower than 30,000 and the first service would be carried out as soon as the vehicle had done 30,000 miles.

The Team Manager (Licensing) asked the applicant to provide Members with a summary of what he intended using the vehicle for.

Mr. Brain confirmed that the vehicle would primarily be used for airport runs, and would replace an older vehicle purchased for the same purpose.

The applicant and Officers then left the meeting whilst Members determined the application, and upon their return, it was

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number CU16 EFS as a Private Hire Vehicle.

Members noted that the application falls outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allows it to be relaxed in certain circumstances, and examples of these were detailed in paragraph 2.4 of the Policy.

Having examined the vehicle the Sub-Committee felt that the vehicle was exceptional in terms of its quality both interior and exterior, as well as being excellent in terms of its safety qualities.

In view of this, the Sub-Committee therefore granted the licence.

104. 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 Paul Brain t/a Peyton Travel Limited, to licence a Ford to licence a Renault Traffic LL29 Sport Energy DCI vehicle registration number LN16 JTO as a Private Hire Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on 17 March 2016.

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 51,688 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 service history of the vehicle had been provided by the applicant, which was issued on 11 March 2017 with the mileage of the vehicle then being 24,875 and on 16 February 2018, with the mileage then being 49,662.

The Team Manager (Licensing) asked the applicant to provide Members with a summary of what he intended using the vehicle for.

Mr. Brain confirmed that the vehicle would primarily be used for airport runs, and would replace an older vehicle purchased for the same purpose.

The applicant and Officers then left the meeting whilst Members determined the application, and upon their return, it was

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number LN16 JTO as a Private Hire Vehicle.

Members noted that the application falls outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allows it to be relaxed in certain circumstances, and examples of these were detailed in paragraph 2.4 of the Policy.

Having examined the vehicle the Sub-Committee felt that the vehicle was exceptional in terms of its quality both interior and exterior, as well as being excellent in terms of its safety qualities.

In view of this, the Sub-Committee therefore granted the licence.

105. URGENT ITEMS

None.

106. 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 item of business as it 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 item in private with the public excluded from the meeting, as it was considered that in all the circumstances relating to this item, 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.

107. APPROVAL OF EXEMPT MINUTES

RESOLVED: That the exempt Minutes of a meeting of the Licensing Sub-Committee A dated 13 March 2018, be approved as a true and accurate record.

The meeting closed at 11:20

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD IN COMMITTEE ROOMS 2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 5 JUNE 2018 AT 10:00

Present

Councillor DRW Lewis – Chairperson

SE Baldwin
JE Williams

TH Beedle

RJ Collins

DG Owen

Officers:

| | |
|-----------------|--|
| Katie Brook | Senior Licensing Technical Officer |
| Katia Daw | Lawyer |
| Julie Ellams | Democratic Services Officer - Committees |
| Michael Pitman | Business & Administrative Apprentice |
| Yvonne Witchell | Team Manager Licensing |

108. APOLOGIES FOR ABSENCE

None

109. DECLARATIONS OF INTEREST

None

110. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

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

The application was made by Peyton Travel to licence a Renault Trafic, registration number HK65 EOP as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 24th November 2015.

The meeting was briefly adjourned for Members to inspect the vehicle.

Upon recommencing the meeting, the Team Manager (Licencing) advised members that the current mileage of the vehicle was at 32,324 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licencing 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. For members' information a service history was provided which was issued on the 23rd May 2017, with the mileage at that time being 21,107. The vehicle was recently inspected by an enforcement officer on the 25th May 2018 and confirmed the mileage at the time as 32,302. The vehicle was presented in good condition with no visible faults or issues.

The Team Manager (Licencing) asked the applicant to give Members' an outline of the vehicles history.

The applicant stated that he used the vehicle for daily transport as well as airport transfers and long distance travel. He also stated that he intends to purchase a new vehicle in the future so he can accommodate wheelchair uses more effectively.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number HK65 EOP as a Private Hire Vehicle.

Members noted that the application falls outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allows it to be relaxed in exceptional circumstances, and examples of these were detailed in paragraph 2.4 of the Policy.

Having examined the vehicle, the Sub-Committee felt that the vehicle was exceptional in terms of its quality both interior and exterior, as well as being excellent in terms of its safety qualities. The Sub-committee therefore granted the licence.

111. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

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

The application was made by Peyton Travel to licence a Dacia Logan, registration number PK65 FFE as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 23rd November 2015.

The meeting was briefly adjourned as Members and Offices proceeded to the Council Chamber Basement carpark to inspect the vehicle.

Upon recommencing the meeting, the Team Manager (Licencing) advised members that the current mileage of the vehicle was at 47,093 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licencing 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. For members' information a service history was provided which was issued on the 18th August 2016, with the mileage at that time being 15,336. The vehicle was recently inspected by an enforcement officer on the 25th May 2018 and confirmed the mileage at the time as 47,083. The vehicle was presented in good condition with no visible faults or issues.

The Team Manager (Licencing) asked the applicant to give Members' an outline of the vehicles history.

The applicant stated that he uses the vehicle mainly for long distance transport as well as frequent airport transportation. This vehicle would replace a 9 year old vehicle and better quality, lower mileage and more comfortable.

The applicant also stated that the previous inspection discovered a faulty rear wiper; this was down to a fuse that had since been replaced and it was now working. He also stated that a recent dent on the bonnet will be fixed in the next couple of weeks.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number PK65 FFE as a Private Hire Vehicle.

Members noted that the application falls outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allows it to be relaxed in exceptional circumstances, and examples of these were detailed in paragraph 2.4 of the Policy.

Having examined the vehicle the Sub-Committee felt that the vehicle was exceptional in terms of its quality interior and the exterior was overall good quality.

In view of this, the Sub-Committee therefore granted the licence on the basis that the repair to the bonnet was carried out as soon as possible.

112. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

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

The application was made by David Llewellyn t/a Executive Cars Wales, registration number YY64 TAV as per the report, as a private hire vehicle to seat 4 persons. The vehicle was preowned and was first registered at the DVLA on 27th November 2014.

The meeting was briefly adjourned as Members and Offices proceeded to the Council Chamber Basement carpark to inspect the vehicle.

Upon recommencing the meeting, the Team Manager (Licencing) advised members that the current mileage of the vehicle was at 31,298 miles.

It was also made aware that the number plate had been replaced with another one. The current number plate is S40 DKL and all the necessary paperwork was provided to support this change. Details of the MOT and service history are stated in the report under section 4.3.

Mr Llewellyn was asked to provide some background to the vehicle and its use.

He stated that he used the vehicle mainly for long distance transport as well as airport transport. The vehicle was one of seven vehicles he owned all used for the same purpose.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number S40 DKL as a Private Hire Vehicle.

Members noted that the application falls outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allows it to be relaxed in exceptional circumstances, and examples of these were detailed in paragraph 2.4 of the Policy.

Having examined the vehicle the Sub-Committee felt that the vehicle was exceptional in terms of its interior and exterior.

In view of this, the Sub-Committee therefore granted the licence.

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

The Team Manager (Licensing) 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 had 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 also stated 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.

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

114. URGENT ITEMS

None

115. 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

LICENSING SUB-COMMITTEE A - TUESDAY, 5 JUNE 2018

public interest in disclosing the information, because the information would be prejudicial to the applicants so mentioned.

116. APPLICATION FOR RENEWAL OF LICENCES

117. DISCIPLINARY HEARING FOR EXISTING TAXI DRIVER

The meeting closed at 12:09

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

31 JULY 2018

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

1. Purpose of report

- 1.1 The purpose of this report is to ask the sub-committee to consider an application to grant a licence for a private hire vehicle.

2. Connection to corporate improvement objectives/other corporate priorities

- 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 Volkswagen Transporter vehicle registration number GF16 GBO 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 March 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 a service history has been provided dated 16 February 2018 with the vehicle mileage at 32087. An enforcement officer viewed the vehicle on 20 July 2018 and the vehicle was presented in good condition with the mileage at 44276.

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 and 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. Well-being of Future Generations (Wales) Act 2015 implications

7.1 Prevention: The Council is a regulatory body with responsibility for the safety of vehicles, drivers and operators through pre-licensing guidelines and checks, vehicle

and driver testing and ongoing compliance and enforcement. Each case will be determined on its merits.

Collaboration: pre-licensing checks and testing are subject to internal and external agency input for example, Home Office, Disclosure and Barring Services, Joint Fleet Services.

8. Financial implications

8.1 None for the authority

9. Recommendation

9.1 The Sub-Committee is asked to determine the application having regard to the information contained within this report.

Kelly Watson
HEAD OF LEGAL AND REGULATORY SERVICES

Date 25 July 2018

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

31 JULY 2018

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

1. Purpose of report

- 1.1 The purpose of this report is to ask the sub-committee to consider an application to grant a licence for a private hire vehicle.

2. Connection to corporate improvement objectives/other corporate priorities

- 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 Volkswagen Transporter vehicle registration number GJ16 XJZ as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 24 March 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 a service history has been provided dated 25 January 2018 with the vehicle mileage at 32054. An enforcement officer viewed the vehicle on 20 July 2018 and the vehicle was presented in good condition with the mileage recorded at 32372.

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 and 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. Well-being of Future Generations (Wales) Act 2015 implications

7.1 Prevention: The Council is a regulatory body with responsibility for the safety of vehicles, drivers and operators through pre-licensing guidelines and checks, vehicle

and driver testing and ongoing compliance and enforcement. Each case will be determined on its merits.

Collaboration: pre-licensing checks and testing are subject to internal and external agency input for example, Home Office, Disclosure and Barring Services, Joint Fleet Services.

8. Financial implications

8.1 None for the authority

9. Recommendation

9.1 The Sub-Committee is asked to determine the application having regard to the information contained within this report.

Kelly Watson
HEAD OF LEGAL AND REGULATORY SERVICES

Date 25 July 2018

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Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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