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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 / 643694

Gofynnwch am / Ask for: Michael Pitman

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 6 March 2019

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, 12 March 2019 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 - 8
To receive for approval the Minutes of the 15/01/2019
4. Application to Licence Private Hire Vehicle 9 - 12
5. Application to Licence Private Hire Vehicle 13 - 16
6. Application to Licence Private Hire Vehicle 17 - 20
7. Application to Licence Private Hire Vehicle 21 - 24
8. 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.
9. 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The reports relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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

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Government (Access to Information)(Variation)(Wales) Order 2007.

If following the application of the public interest test the Committee resolves pursuant to the Act to consider these items in private, the public will be excluded from the meeting during such consideration.

10.	<u>Approval of Exempt Minutes</u> To receive for approval the exempt Minutes of the 15/01/2019	25 - 30
11.	<u>Application for Grant of Licences</u>	31 - 34
12.	<u>Application for Grant of Licences</u>	35 - 38
13.	<u>Application for Renewal of Licences</u>	39 - 42
14.	<u>Application for Renewal of Licences</u>	43 - 46
15.	<u>Application for Renewal of Licences</u>	47 - 50

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, 15 JANUARY 2019

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD IN CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 15 JANUARY 2019 AT 10:00

Present

Councillor DRW Lewis – Chairperson

SE Baldwin

TH Beedle

AA Pucella

JE Williams

Apologies for Absence

RJ Collins

Officers:

Katia Daw

Lawyer

Mark Galvin

Senior Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

157. DECLARATIONS OF INTEREST

None.

158. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Licensing Sub-Committee 'A' dated 27 November 2018, be approved as a true and accurate record.

159. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report, which asked the Sub Committee to consider an application to grant a license for a Private Hire Vehicle.

The application was made by Richard Singleton, to licence a Mercedes V Class vehicle, registration number CV18 HTK as a private hire vehicle to seat 7 persons. The vehicle was pre-owned and was first registered at the DVLA on 30 May 2018.

Members then proceeded to inspect the vehicle.

The Team Manager (Licencing) advised members that the current mileage of the vehicle was 19,884 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licensing Committee for the reasons outlined in the report. The vehicle was not wheelchair accessible, but there were specific policy guidelines in respect of the first licensing of Vehicles which fell outside the policy guidelines outlined in paragraph 4.4 of the report.

RESOLVED: The Sub-Committee considered the application to register the above vehicle as a Private Hire Vehicle.

Members noted that the application falls outside the Private Hire Vehicle Policy due to its age.

Under paragraph 2.2 the policy can be relaxed in certain circumstances, and examples are given in 2.2.5 of the policy and include:-

- The exceptional exterior and interior quality;
- Exceptional standards of safety

Having inspected the vehicle the Sub-Committee felt that such circumstances exist here, and it was happy to grant the licence.

160. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report, which asked the Sub Committee to consider an application to grant a license for a Private Hire Vehicle.

The application was made by Peyton Travel, to licence a Dacia Logan, vehicle registration number CA65 OHE as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 31 December 2015.

Members then proceeded to inspect the vehicle.

The Team Manager (Licencing) advised members that the current mileage of the vehicle was 17,180 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licensing Committee for the reasons outlined in the report. The vehicle was not wheelchair accessible, but there were specific policy guidelines in respect of the first licensing of Vehicles which fell outside the policy guidelines outlined in paragraph 4.4 of the report.

RESOLVED:

The Sub-Committee considered the application to register the above vehicle as a Private Hire Vehicle.

Members noted that the application falls outside the Private Hire Vehicle Policy due to its age.

Under paragraph 2.2 the policy can be relaxed in certain circumstances, and examples are given in 2.2.5 of the policy and include:-

- The exceptional exterior and interior quality;
- Exceptional standards of safety

Having inspected the vehicle the Sub-Committee felt that such circumstances exist here, and it was happy to grant the licence.

161. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report, which asked the Sub Committee to consider an application to grant a license for a Private Hire Vehicle.

The application was made by Peyton Travel, to licence a Dacia Logan Laureate, vehicle registration number CU66 ENE (and not EHE as specified in the report) as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 29 September 2016.

Members then proceeded to inspect the vehicle.

The Team Manager (Licencing) advised members that the current mileage of the vehicle was 29,988 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licensing Committee for the reasons outlined in the report. The vehicle was not wheelchair accessible, but there were specific policy guidelines in respect of the first licensing of Vehicles which fell outside the policy guidelines outlined in paragraph 4.4 of the report.

RESOLVED: The Sub-Committee considered the application to register the above vehicle as a Private Hire Vehicle.

Members noted that the application falls outside the Private Hire Vehicle Policy due to its age.

Under paragraph 2.2 the policy can be relaxed in certain circumstances, and examples are given in 2.2.5 of the policy and include:-

- The exceptional exterior and interior quality;
- Exceptional standards of safety

Having inspected the vehicle the Sub-Committee felt that such circumstances exist here, and it was happy to grant the licence.

162. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report, which asked the Sub Committee to consider an application to grant a license for a Private Hire Vehicle.

The application was made by Peyton Travel, to licence a Ford Transit Custom, vehicle registration number WV14 OBZ as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 10 March 2014.

Members then proceeded to inspect the vehicle.

The Team Manager (Licencing) advised members that the current mileage of the vehicle was 75,084 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licensing Committee for the reasons outlined in the report. The vehicle was not wheelchair accessible, but there were specific policy guidelines in respect of the first licensing of Vehicles which fell outside the policy guidelines outlined in paragraph 4.4 of the report.

RESOLVED: The Sub-Committee considered the application to register the above vehicle as a Private Hire Vehicle.

Members noted that the application falls outside the Private Hire Vehicle Policy due to its age.

Under paragraph 2.2 the policy can be relaxed in certain circumstances, and examples are given in 2.2.5 of the policy and include:-

- The exceptional exterior and interior quality;
- Exceptional standards of safety

Having inspected the vehicle the Sub-Committee felt that such circumstances exist here, and it was happy to grant the licence.

163. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report, which asked the Sub Committee to consider an application to grant a license for a Hackney Carriage Vehicle.

The application was made by James Bickerstaff, to licence a Nissan NV300, vehicle registration number WD18 XTJ as a hackney carriage vehicle to seat 8 persons. The vehicle was not wheelchair accessible. The vehicle was pre-owned and was first registered at the DVLA on 29 August 2018.

Members then proceeded to inspect the vehicle.

The Team Manager (Licencing) advised members that the current mileage of the vehicle was 281 miles. She stated that the application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. For members' information, there is no service history or supporting documentation on this vehicle, as the requirement for a service has not yet been reached. An Enforcement Officer viewed the vehicle on 18 December 2018 and the vehicle was presented in good condition.

RESOLVED: The Sub-Committee considered the application to register the above vehicle as a Hackney Carriage.

Members noted that the application falls outside the Private Hire Vehicle Policy due to its age.

Under paragraph 2.2 the policy can be relaxed in certain exceptional circumstances. There are guidelines for what constitutes exceptional. However, Members noted the exceptional exterior and interior quality, as well as the standards of safety.

Members were therefore happy to grant the license.

164. URGENT ITEMS

None.

165. 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

LICENSING SUB-COMMITTEE A - TUESDAY, 15 JANUARY 2019

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

- 166. APPROVAL OF EXEMPT MINUTES
- 167. APPLICATION FOR RENEWAL OF LICENCES
- 168. APPLICATION FOR RENEWAL OF LICENCES
- 169. APPLICATION FOR RENEWAL OF LICENCES

The meeting closed at 13:10

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

12 MARCH 2019

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 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

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 Volkswagon Transporter vehicle registration number GJ17 OBD as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 21 March 2017.
- 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 13 December 2017 with the mileage recorded at 6886, 14 February 2018 with mileage at 9900, 23 August 2018 with mileage at 19927 and 24 October 2018 with mileage at 22678.

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 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

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 6 March 2019

Yvonne Witchell
Team Manager Licensing

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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

12 MARCH 2019

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 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

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 Volkswagon Transporter vehicle registration number GJ17 OCW 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 2017.
- 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 20 September 2017 with the mileage recorded at 5743, 30 November 2017 with mileage at 9772, 2 February 2018 with mileage at 12804 and 20 February 2019 with mileage at 28151.

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 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

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 6 March 2019

Yvonne Witchell
Team Manager Licensing

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Private Hire Vehicle Policy Guidelines

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

12 MARCH 2019

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 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

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 Renault Traffic vehicle registration number MX13 LHF as a private hire vehicle to seat 8 persons. The vehicle is wheelchair accessible and capable of accommodating 2 wheelchairs and 5 passengers.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 20 June 2013.

- 4.3 For Members' information a service history has been provided dated 30 June 2014 with the mileage recorded at 1279, 10 June 2015 with mileage at 3962, 19 November 2015 with mileage at 5244, 10 June 2016 with mileage at 6938, 19 June 2017 with mileage at 10392, 20 April 2018 with mileage at 12309, 22 May 2018 12669 and 1 October 2018 with mileage at 13906. A satisfactory LOLER Certificate of Thorough Inspection has also been submitted with the application dated the 22 February 2019 in relation to the Tail Lift on the vehicle.

4.4 Policy Guidelines

The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is wheelchair accessible. The policies which apply to this case are as follows:

The vehicle is over the three year age limit specified in the policy.

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 2.2.3) In order to ensure that customers can hire taxis with the minimum delay and inconvenience, the policy may be relaxed to allow the licensing of wheelchair accessible hackney carriage or private hire vehicles up to three years old on application, provided that a full service history and safety certification, including a satisfactory conversion certification is provided with the application and the vehicle can satisfy the general licensing requirements.

(Policy 2.2.4) The licensee of any vehicle licensed under the Council's special policy for wheelchair accessible vehicles must ensure that the vehicle is wheelchair accessible at all times and carry such ramps etc that are necessary. The maximum capacity of the vehicle will be specified in the licence and must include provision for at least one wheelchair.

(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 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 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

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 6 March 2019

Yvonne Witchell
Team Manager Licensing

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

12 MARCH 2019

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 There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

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 Traveland (Wales) Limited, to licence a Volkswagen Transporter vehicle registration number A5 TLD as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle was first registered at the DVLA on 16 January 2019.
- 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 is not available.

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 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

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 6 March 2019

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Team Manager Licensing

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By virtue of paragraph(s) 12 of Part 4 of Schedule 12A of the Local Government Act 1972.

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