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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.*

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#### **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:** Tuesday, 30 April 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, 7 May 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 - 6  
To receive for approval the Minutes of the 12/03/2019
4. Application to Licence Hackney Carriage Vehicle 7 - 8
5. 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.
6. Exclusion of the Public  
The reports and minutes relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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 such consideration.

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|----|---|---------|
| 7. | <u>Approval of Exempt Minutes</u><br>To receive for approval the exempt Minutes of the 12/03/2019 | 9 - 16  |
| 8. | <u>Application for Grant of Licences</u>  | 17 - 20 |

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, 12 MARCH 2019

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, 12 MARCH 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

Julie Ellams

Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

### 170. DECLARATIONS OF INTEREST

Cllr D Lewis declared a prejudicial interest in agenda item 15, Application for Renewal of Licences, because he knew the applicant. He left the meeting when this item was considered and Cllr S Baldwin took the Chair.

### 171. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Licensing Sub-Committee (A) dated 15 January 2019, be approved as a true and accurate record.

### 172. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the Sub-Committee to consider an application to grant a license for a private hire vehicle.

The application was made by Forge Travel Limited to licence a Volkswagen Transporter vehicle registration number GJ17 OBD as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 21 March 2017.

The Sub-Committee inspected the vehicle.

The Team Manager (Licensing) advised members that the current mileage of the vehicle was 27,286 miles. She stated that the application 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 private hire vehicles which fell outside policy guidelines, outlined in paragraph 4.4 of the report. For Members' information a service history had 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.

RESOLVED: The Sub-Committee considered the application to register GJ17 OBD as a private hire vehicle.

Members noted that it fell outside of policy 2.1 due to the age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy and the guidelines at 2.2.5 were applicable, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such the Sub-Committee were happy to grant the licence.

173. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the Sub-Committee to consider an application to grant a license for a private hire vehicle.

The application was made by Forge Travel Limited to licence a Volkswagen Transporter vehicle registration number GJ17 OCW as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 24 March 2017.

The Sub-Committee inspected the vehicle.

The Team Manager (Licensing) advised members that the current mileage of the vehicle was 28,600 miles. She stated that the application 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 private hire vehicles which fell outside policy guidelines, outlined in paragraph 4.4 of the report. For Members' information a service history had 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.

RESOLVED: The Sub-Committee considered the application to register GJ17 OCW as a private hire vehicle.

Members noted that it fell outside of policy 2.1 due to the age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy and the guidelines at 2.2.5 were applicable, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such the Sub-Committee were happy to grant the licence.

174. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the Sub-Committee to consider an application to grant a license for a private hire vehicle.

The application was 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 was wheelchair accessible and capable of accommodating 2 wheelchairs and 5 passengers. The vehicle was pre-owned and was first registered at the DVLA on 20 June 2013.

The Sub-Committee inspected the vehicle.

The Team Manager (Licensing) advised members that the current mileage of the vehicle was 16,553 miles. She stated that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee for the reasons outlined in the report. The vehicle was wheelchair accessible and the policies which applied to this case were set out in the report. For Members' information a service history had 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 had also been submitted with the application dated the 22 February 2019 in relation to the Tail Lift on the vehicle.

**RESOLVED:** The Sub-Committee considered the application to register MX13 LHF as a private hire vehicle.

Members noted it was wheelchair accessible and noted the special policy guidelines that related to this.

Members noted that the vehicle fell outside the policy at para 2.2.3 however under 2.2.5 Members were prepared to relax the policy on the basis of the exceptional exterior and interior quality and exceptional standards of safety.

As such the Sub-Committee were happy to grant the licence with a maximum capacity of 7 under para 2.2.4.

175. **APPLICATION TO LICENCE PRIVATE HIRE VEHICLE**

The Head of Legal and Regulatory Services submitted a report asking the Sub-Committee to consider an application to grant a license for a private hire vehicle.

The application was made by Traveland (Wales) Limited, to licence a Volkswagen Transporter vehicle registration number A5 TLD as a private hire vehicle to seat 8 persons. The vehicle was first registered at the DVLA on 16 January 2019.

The Sub-Committee inspected the vehicle.

The Team Manager (Licensing) advised members that the current mileage of the vehicle was 621 miles. She stated that the application 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 private hire vehicles which fell outside policy guidelines, outlined in paragraph 4.4 of the report.

**RESOLVED:** The Sub-Committee considered the application to register A5 TLD as a private hire vehicle.

Members noted that it fell outside of policy 2.1 due to the age and mileage.

Members noted that the policy could be relaxed as set out in para 2.2 of the policy and the guidelines at 2.2.5 were applicable, namely the exceptional interior and exterior quality and the exceptional standards of safety. As such the Sub-Committee were happy to grant the licence.

176. URGENT ITEMS

None

177. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following items of business as they contained exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Act.

Following the application of the public interest test it was resolved that pursuant to the Act referred to above, to consider the following items in private, with the public excluded from the meeting, as it was considered that in all the circumstances relating to the items, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, because the information would be prejudicial to the applicants so mentioned

178. APPROVAL OF EXEMPT MINUTES

179. APPLICATION FOR GRANT OF LICENCES

180. APPLICATION FOR GRANT OF LICENCES

181. APPLICATION FOR RENEWAL OF LICENCES

182. APPLICATION FOR RENEWAL OF LICENCES

183. APPLICATION FOR RENEWAL OF LICENCES

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

7 MAY 2019

#### REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

#### APPLICATION TO LICENCE HACKNEY CARRIAGE 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 hackney carriage 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 Andrew Rainbow, to licence a Hyundai I40 vehicle registration number CK63 SSV as a hackney carriage vehicle to seat 4 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 31 December 2013.

- 4.3 The application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. For Members' information a service history has been provided dated 1 October 2014 with the mileage recorded at 20561, 13 April 2015 with mileage at 40190, 9 October 2015 mileage at 60963, 13 April 2016 mileage at 80216, 21 October 2016 mileage at 99681, 16 May 2017 mileage at 119959 and 1 February 2018 mileage at 140838. An MOT Certificate dated 6 November 2018 has also been provided with the mileage at 160959 miles.

##### 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.*

## **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 30 April 2019**

Yvonne Witchell  
Team Manager Licensing

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## **Background documents**

Private Hire Vehicle Application  
Private Hire Vehicle Policy Guidelines



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

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of the Local Government Act 1972.

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