

# Public Document Pack

## 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 Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB ar **Dydd Mawrth, 9 Ebrill 2019 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 - 4  
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 12/02/2019
4. Cais i Drwyddedu Cerbyd Hurio Preifat 5 - 8
5. 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.
6. 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](mailto:talktous@bridgend.gov.uk)

Gwefan/Website: [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

Cyfnwyd 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.

- |     |   |         |
|-----|---|---------|
| 7.  | <u>Cymeradwyaeth Cofnodion wedi'u Eithrio</u><br>I dderbyn am gymeradwyaeth y Cofnodion eithrio cyfarfod y 12/02/2019 | 9 - 12  |
| 8.  | <u>Ceisiadau i Gymeradwyo Trwyddedau</u>  | 13 - 16 |
| 9.  | <u>Ceisiadau i Adnewyddu Trwyddedau</u>   | 17 - 20 |
| 10. | <u>Gwrandawriad Disgyblu ar gyfer Gyrrwr Tacsï Presennol</u>  | 21 - 28 |

Yn ddiffuant

**K Watson**

Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol

**Dosbarthiad:**

Cynghowrwy

PA Davies

A Hussain

RM James

Cynghorwyr

B Jones

MJ Kearn

JE Lewis

Cynghorwyr

G Thomas

IS-BWYLLGOR TRWYDDEDU (B) - DYDD MAWRTH, 12 CHWEFROR 2019

COFNODION CYFARFOD Y IS-BWYLLGOR TRWYDDEDU (B) A GYNHALIWD YN  
COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB DYDD  
MAWRTH, 12 CHWEFROR 2019, AM 10:00

## Presennol

Y Cyngorydd PA Davies – Cadeirydd

RM James  
G Thomas

B Jones

MJ Kearn

JE Lewis

## Ymddiheuriadau am Absenoldeb

A Hussain

## Swyddogion:

Will Lane

Andrea Lee

Michael Pitman

Rheolwr Gweithredol – Cydwasanaethau Rheoleiddio

Uwch Cyfreithiwr

Prentys Busnes Gweinyddol Gwasanaethau Democrataidd

## 120. YMDDIHEURIADAU AM ABSENOLDEB

Cyngorydd A Hussain

## 121. DATGANIADAU O FUDDIANT

Datganodd y Cyngorydd Brian Jones ddi-ddordeb anfanteisiol yn eitem 9 - Gwrandawriad Disgyblu'r Gyrrwr Tacsï Presennol gan ei fod yn adnabod yr ymgeisydd a gadawodd yr ystafell pan oedd y cais yn cael ei ystyried.

## 122. DERBYN Y COFNODION

PENDERFYNWYD: I dderbyn cofnodion y cyfarfod a gynhaliwyd ar 18<sup>fed</sup> Rhagfyr 2018 fel rhai cywir.

## 123. CAIS I DRWYDDEDU CERBYD HURIO PREIFAT

Cyflwynodd Pennaeth Gwasanaethau Cyfreithiol a Rheoli adroddiad a oedd yn gofyn i'r Is Bwyllgor ystyried cais i ganiatáu trwydded am Gerbyd Hurio Preifat.

Gwnaethpwyd y cais gan Peyton Travel i drwyddedu Renault Trafic, rhif cofrestru M24 PEY fel cerbyd hurio preifat i gludo 8 unigolyn.

Roedd y cerbyd yn un ail law a chafodd ei gofrestru gyda'r DVLA am y tro cyntaf ar 24 Mehefin 2015. Er gwybodaeth i'r Aelodau, darparwyd cefndir gwasanaeth dyddiedig 15 Medi 2016 gyda chofnod milltired o 30,997 ac ar 19 Awst 2018 gyda chofnod milltired o 59,445.

Gohiriwyd y cyfarfod am gyfnod byr i ganiatáu i Aelodau archwilio'r cerbyd. Wedi i'r cyfarfod aildechrau, nododd yr Aelodau gofnod milltired o 69,043 a bod y cerbyd yn ymddangos mewn cyflwr rhagorol.

PENDERFYNWYD: Ystyriodd yr Is-Bwyllgor y cais i drwyddedu'r cerbyd â'r rhif cofrestru M24 PEY fel Cerbyd Hurio Preifat.

Nododd aelodau bod y cais yn mynd y tu hwnt i'r Polisi Trwyddedu ym mharagraff 2.1 oherwydd oedran y cerbyd.

Nododd aelodau bod y Polisi ym mharagraff 2.2 yn caniatáu i'r rheol gael ei llacio mewn amgylchiadau eithriadol, ac mae enghreifftiau o'r rhain wedi'u manylu ym mharagraff 2.4 y Polisi.

Wedi archwilio'r cerbyd, barn yr Is-Bwyllgor oedd bod y cerbyd yn eithriadol o ran ansawdd y tu mewn yn ogystal â'r tu allan, a'i rinweddau diogelwch. Felly, rhoddodd yr Is-Bwyllgor ganiatâd i drwyddedu'r cerbyd.

124. MATERION BRYS

Dim

125. GWAHARDD Y CYHOEDD

Ni fydd yr adroddiadau/cofnodion yn ymwneud â'r eitemau canlynol yn cael eu cyhoeddi gan eu bod yn cynnwys gwybodaeth eithriadig yn ôl y diffiniad ym Mharagraff 12 Rhan 4 ac/neu Baragraff 21 Rhan 5 Atodlen 12A Deddf Llywodraeth Leol 1972 fel y diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad i Wybodaeth) (Amrywiad) (Cymru) 2007.

Os, yn dilyn y cais o brawf lles y cyhoedd fod y Pwyllgor yn penderfynu yn unol â'r Ddeddf i ystyried yr eitemau hyn yn breifat, bydd aelodau'r cyhoedd yn cael eu gwahardd o'r cyfarfod yn ystod yr ystyriaeth honno.

126. CYMERADWYAETH COFNODION WEDI'U EITHRIO

127. CEISIADAU I GYMERADWYO TRWYDDEDAU

128. GWRANDAWIAD DISGYBLU AR GYFER GYRWYR TACSI PRESENNOL

Daeth y cyfarfod i ben am 11:29

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO LICENSING SUB COMMITTEE

9 APRIL 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 Christopher Jones, to licence a Ford Tourneo Custom vehicle registration number MM66 GMX as a private hire vehicle to seat 8 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 31 December 2016.

- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. For Members' information a service history has been provided dated 26 February 2019 with the mileage recorded at 17051 and an MOT Certificate dated 27 February 2019 with mileage at 17051 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. 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 3 April 2019**

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**

Private Hire Vehicle Application  
Private Hire Vehicle Policy Guidelines

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