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## Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

### Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.  
Rhowch wybod i ni os mai Cymraeg yw eich  
dewis iaith.*

*We welcome correspondence in Welsh. Please  
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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:** Wednesday, 3 April 2019

Dear Councillor,

#### **LICENSING SUB-COMMITTEE B**

A meeting of the Licensing Sub-Committee B will be held in the Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 9 April 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 - 4  
To receive for approval the Minutes of the 12/02/2019
4. Application to Licence Private Hire Vehicle 5 - 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The reports/minutes relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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 12/02/2019 | 9 - 12  |
| 8.  | <u>Application for Grant of Licences</u>  | 13 - 16 |
| 9.  | <u>Application for Renewal of Licences</u>  | 17 - 20 |
| 10. | <u>Disciplinary Hearing for Existing Taxi Driver</u>  | 21 - 28 |

Yours faithfully

**K Watson**

Head of Legal and Regulatory Services

Councillors:

PA Davies

A Hussain

RM James

Councillors

B Jones

MJ Kearn

JE Lewis

Councillors

G Thomas

## LICENSING SUB-COMMITTEE B - TUESDAY, 12 FEBRUARY 2019

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 12 FEBRUARY 2019 AT 10:00

### Present

Councillor PA Davies – Chairperson

RM James  
G Thomas

B Jones

MJ Kearn

JE Lewis

### Apologies for Absence

A Hussain

### Officers:

Will Lane	Operational Manager Shared Regulatory Services
Andrea Lee	Senior Lawyer
Michael Pitman	Business & Administrative Apprentice

### 120. APOLOGIES FOR ABSENCE

Councillor A Hussain

### 121. DECLARATIONS OF INTEREST

Councillor Brian Jones declared a prejudicial interest in item 9 - Disciplinary Hearing for Existing Taxi Driver as he knew the applicant and left the room during consideration of the application.

### 122. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Sub Committee of the 18<sup>th</sup> December 2018 be approved as a true and accurate record.

### 123. 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 Renault Trafic, registration number M24 PEY as a private hire vehicle to seat 8 persons.

The vehicle was preowned and was first registered with the DVLA on 24 June 2015. For Members' information a service history was provided dated 15 September 2016 with the mileage being recorded at 30,997 and 19 August 2018 with the mileage recorded at 59,445.

The meeting briefly adjourned to allow Members' to inspect the vehicle. On reconvening, Members noted that the mileage was recorded as 69,043 and the vehicle appeared to be in excellent condition.

**RESOLVED:** The Sub-Committee considered the application to licence Vehicle Registration number M24 PEY 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, exterior and its safety qualities. The Sub-committee therefore granted the licence.

124. **URGENT ITEMS**

None

125. **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.

126. **APPROVAL OF EXEMPT MINUTES**

127. **APPLICATION FOR GRANT OF LICENCES**

128. **DISCIPLINARY HEARING FOR EXISTING TAXI DRIVER**

11:29 finished.

## 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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**Postal Address** Civic Offices, Angel Street, Bridgend, CF31 4WB

**Background documents**

Private Hire Vehicle Application  
Private Hire Vehicle Policy Guidelines

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