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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: Tuesday, 20 August 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, 27 August 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 - 12
To receive for approval the Minutes of the 17/06/2019 and 02/07/2019
4. Application to Licence Hackney Carriage Vehicle 13 - 14
5. Application to Licence Private Hire Vehicle 15 - 18
6. Application to Licence Private Hire Vehicle 19 - 22
7. Application to Licence Private Hire Vehicle 23 - 26
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The reports/minutes relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972 as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

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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 17/06/2019 | 27 - 30 |
| 11. | <u>Application for Grant of Licences</u> | 31 - 34 |

Yours faithfully

K Watson

Head of Legal and Regulatory Services

Councillors:

PA Davies

A Hussain

RM James

Councillors

B Jones

JE Lewis

JR McCarthy

Councillors

G Thomas

LICENSING SUB-COMMITTEE B - MONDAY, 17 JUNE 2019

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON MONDAY, 17 JUNE 2019 AT 10:00

Present

Councillor PA Davies – Chairperson

A Hussain

JE Lewis

G Thomas

Apologies for Absence

RM James

Officers:

Andrea Lee

Senior Lawyer

Michael Pitman

Business & Administrative Apprentice

Yvonne Witchell

Team Manager Licensing

139. DECLARATIONS OF INTEREST

None

140. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting on 09/04/2019 be approved as a true and accurate record.

141. URGENT ITEMS

None

142. 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 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.

143. APPROVAL OF EXEMPT MINUTES

144. APPLICATION FOR GRANT OF LICENCES

The meeting closed at 11:45

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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, 2 JULY 2019 AT 10:00

Present

Councillor PA Davies – Chairperson

A Hussain

RM James

B Jones

G Thomas

Apologies for Absence

JE Lewis

Officers:

Katia Daw

Lawyer

Michael Pitman

Business & Administrative Apprentice

Yvonne Witchell

Team Manager Licensing

146. DECLARATIONS OF INTEREST

The following declarations were received:

Cllr B Jones – item 5 – Family known personally to him

Cllr B Jones – Item 7, 8, 9, 10 – Knew the applicant and his wife

Cllr G Thomas – Item 7, 8, 9, 10 – Knew the applicant

147. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Act 2003 Sub-Committee B of 07/03/2019 as a true and accurate record.

148. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The application was made by David Llewellyn to licence a Mercedes E Class Estate, registration number S100 DKL as a Private Hire Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 29 April 2015

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Civic Offices 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 31,749 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 full service history of the vehicle had been provided by the applicant with the most recent on 7 March 2019.

A Member asked the Mr Llewellyn if the vehicles intended use was to be the same as his other licenced vehicles or if there were any changes. Mr Llewellyn confirmed that this vehicle would be used as all of his others.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number S100 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 quality both interior, exterior and its safety qualities. The Sub-committee therefore granted the licence.

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

The application was made by James Bickerstaff to licence a Renault Trafic , registration number YC17 OBK as a Private Hire Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 22 March 2017

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Civic Offices 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 24,384 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 full service was undertaken on 4 June 2019 which Mr Bickerstaff provided to the committee.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number YC17 OBK 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.

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

The application was made by Lee Grabham to licence a Ford Transit Tourneo, registration number WF15 CUY as a Private Hire Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on 22 March 2017

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Civic Offices 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 69,830 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.

The Team Manager Licensing advised Members that no MOT certificate had been provided as the requirement for one was not necessary due to the vehicles age. A full service was provided dated 16 March 2015, 23 July 2016, 3 September 2018 and 26 March 2019.

She asked Mr Grabham when he obtained the vehicle as they did not have that information. Mr Grabham explained that he obtained the vehicle on 1 June 2019.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number WF15 CUY 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.

151. **APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE**

The application was made by Karl Svensen to licence a Volkswagen Caddy, registration number DX65 XJF as a Hackney Carriage Vehicle to seat 5 Persons configured as 4 regular seating and 1 wheelchair The vehicle was pre-owned and first registered at the DVLA on 30 November 2015

The Chair expressed her pleasure in seeing a wheelchair accessible vehicle being registered as there is an increasing demand on these vehicles.

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Civic Offices 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 79,856 miles. The vehicle was confirmed as wheelchair accessible

An MOT certificate was submitted on 4 June 2019 and a service history was also provided dated 3 June 2019.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number DX65 XJF as a Hackney Carriage Vehicle.

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

Members noted that the vehicle was wheelchair accessible and noted the policy guidelines at 2.2.4.

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.

152. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The application was made by Karl Svensen to licence a Volkswagen Caddy, registration number SA67 FEM as a Hackney Carriage Vehicle to seat 8 Persons. The vehicle was pre-owned and first registered at the DVLA on 27 October 2017

The Chair expressed her pleasure in seeing a wheelchair accessible vehicle being registered as there is an increasing demand on these vehicles.

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Civic Offices 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 31,821 miles. The vehicle was confirmed as wheelchair accessible

For Members information an MOT certificate was not provided as there was no requirement for one due to the vehicles age, however a routine service was undertaken at 25,000 miles and this was supplied to the committee.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number SA67 FEM as a Hackney Carriage 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.

153. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The application was made by Karl Svensen to licence a Dacia Logan Diesel Estate, registration number VX15 YBU as a Hackney Carriage Vehicle to seat 4 Persons. The vehicle was pre-owned and first registered at the DVLA on 22 April 2015

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Civic Offices 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 28,408 miles.

For Members information an MOT certificate was not provided as there was no requirement for one due to the vehicles age, however a service sheet was supplied which detailed a number of servicing reports.

The Team Manager Licensing advised Mr Svensen that at the time the report was drafted, the MOT check history at gov.uk indicated that the vehicle had an outstanding safety recall in place. She asked Mr Svensen if he knew why this was the case

Mr Svensen commented that it was due to a chip in the windscreen which turned into a crack. He assured members that this was dealt with and that he was unaware why it was still showing as a recall. He confirmed that he would check on the reason for this.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number VX15 YBU as a Hackney Carriage 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.

154. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The application was made by Karl Svensen to licence a Dacia Logan Diesel Estate, registration number WM65 GXC as a Hackney Carriage Vehicle to seat 4 Persons. The vehicle was pre-owned and first registered at the DVLA on 31 December 2015

Members and Officers then proceeded to inspect the vehicle that was available for inspection in the Civic Offices 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 25,282 miles.

For Members information MOT and service history was provided.

The Team Manager Licensing advised Mr Svensen that at the time the report was drafted, the MOT check history at gov.uk indicated that the vehicle had an outstanding safety recall in place. She asked Mr Svensen if he knew why this was the case

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number WM65 GXC as a Hackney Carriage 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.

155. 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 which outlined the application received by Darker Enterprises Limited for the renewal of the Sex Establishment Licence in respect of the above premises.

She explained that as there was no delegated powers for the officers in regards to Sex Establishment Licences, the application had come before the committee to consider.

The Team Manager Licensing explained that the current licence was subject to standard conditions and special conditions as indicated at appendix A of the report.

The Team Manager Licensing explained that the applicant had complied with all statutory requires in relation to advertising for renewal of licence.

She advised Members that the Licensing team received no objections from the public, statutory consultees, ward members or South Wales Police.

South Wales Police also confirmed that the applicant had no convictions.

The Team Manager Licensing explained that there was no cause for concern by the licensing team in relation to the Guidance for Members: Grounds for Refusal as indicated at section 4.6 of the report.

A Member asked whether there had been any cause of for concern, complaints or other problems in the past with this establishment or the licensee

The Team Manager Licensing confirmed that there had been no issues to date.

A Member asked how often the establishment was inspected to insure that there is compliance with the conditions listed in appendix A.

The Team Manager Licensing advised that the premises was inspected once a year and have found no cause for concern on any occasion. If there were cause for concern, the premises would be inspected more frequently.

The committee adjourned to make a decision, the decision read as follows:

RESOLVED: "We have considered the application for renewal of the Sex Establishment Licence at Darker Enterprises Limited.

We have noted that there have been no representations from the public or statutory consultees, ward members or South Wales Police.

We have noted that the applicant & the manager have not done anything to make them unsuitable since the last renewal and have no relevant convictions and the police have no objections.

It has been noted that this is the only establishment in the area.

We have considered the character of the locality & the area to which other premises in the vicinity are put. We have noted the yearly inspections and that there are no issues with the layout and condition of the premises.

Therefore under schedule 3 of paragraph 12 of the Local Government (Miscellaneous Provisions) Act 1982 none of the grounds on which we could refuse the application are made out therefore we are happy to grant the licence.”

156. URGENT ITEMS

None

The meeting closed at 11:40

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

27 AUGUST 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 Richard Parrott, to licence a Toyota Avensis vehicle registration number MD66 WVW 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 January 2017.
- 4.3 The application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible.
- 4.4 A service history has been provided dated the 5 April 2019 with mileage recorded at 16251.
- 4.6 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 20 August 2019

Yvonne Witchell
Team Manager Licensing

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

Background documents

Hackney Carriage Application
Hackney Carriage Vehicle Policy Guidelines

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

27 AUGUST 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 Gwynne Evans, to licence a Mercedes E220 vehicle registration number MT17 EJE as a private hire vehicle to seat 4 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA ON 29 April 2017.

- 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 report has been provided by Mercedes for 8 June 2018 with the mileage recorded at 15043 and the 17 June 2019 at 31510.

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.*

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 20 August 2019

Yvonne Witchell
Team Manager Licensing

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Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

27 AUGUST 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 vehicle registration number WX07 DDV as a private hire vehicle to seat 8 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA ON 6 March 2007.

- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is wheelchair accessible. For Members' information a service report has been provided dated 20 November 2018 with the mileage recorded at 7529, 3 January 2019 with mileage at 10473, 14 February 2019 with mileage at 13543, on 8 May 2019 at 18457 and 19 June 2019 with mileage at 19242. An MOT Test Certificate has been provided for the vehicle which expires on 27 August 2020, with the mileage recorded at 19596. A LOLER Service Report has been submitted for the tail lift on the vehicle dated 28 May 2019.

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.*

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 20 August 2019

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

27 AUGUST 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 Robin Leigh, to licence a Mercedes S350 vehicle registration number DG62 EHW as a private hire vehicle to seat 5 persons.

- 4.2 The vehicle is pre-owned and was first registered at the DVLA ON 3 September 2012.

- 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 there is an extensive service history for this vehicle. On the 5 May 2012 the mileage was recorded at 178, 10 May 2013 at 15362, 13 September 2013 at 30419, 23 May 2014 at 46012, on 9 September 2014 at 60407, on 27 May 2015 at 74902, on 15 September 2015 at 91317, on 3 March 2016 at 105118 and on 16 December 2016 at 121,511. The last MOT for the vehicle shows that it was tested on 11 June 2019 with the mileage recorded at 125362. The MOT expires on the 10 June 2020.

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.*

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 20 August 2019

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Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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