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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, 11 December 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, 17 December 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 - 10
To receive for approval the Minutes of the 30/09/2019 and 22/10/2019
4. Application To Licence Private Hire Vehicle 11 - 14
5. Application to Licence Hackney Carriage Vehicle 15 - 16
6. Application to Licence Hackney Carriage Vehicle 17 - 18
7. Application to Licence Hackney Carriage Vehicle 19 - 20
8. Application to Licence Private Hire Vehicle 21 - 24
9. 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.
10. Exclusion of the Public
The reports relating to the following items are not for publication as they

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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.

- | | | |
|-----|--|---------|
| 11. | <u>Approval of Exempt Minutes</u>
To receive for approval the exempt Minutes of the 30/09/2019 and 22/10/2019 | 25 - 36 |
| 12. | <u>Application for Grant of Licences</u> | 37 - 40 |
| 13. | <u>Application for Renewal of Licences</u> | 41 - 44 |
| 14. | <u>Disciplinary Hearing for Existing Taxi Driver</u> | 45 - 54 |
| 15. | <u>Disciplinary Hearing for Existing Taxi Driver</u> | 55 - 58 |

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, 30 SEPTEMBER 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 MONDAY, 30 SEPTEMBER 2019 AT 10:00

Present

Councillor – Chairperson

A Hussain
G Thomas

RM James

JE Lewis

JR McCarthy

Apologies for Absence

PA Davies and B Jones

Officers:

Julie Ellams	Democratic Services Officer - Committees
Andrea Lee	Senior Lawyer
Yvonne Witchell	Team Manager Licensing

168. APPOINTMENT OF CHAIRPERSON

RESOLVED: That Councillor M James be appointed as the Chairperson in the absence of Cllr Pam Davies.

169. DECLARATIONS OF INTEREST

Cllr G Thomas declared a prejudicial interest in item 4, Application to Licence Hackney Carriage Vehicle, and left the meeting during consideration of this item because he knew the applicant.

170. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the Sub-Committee to consider an application to grant a licence for a hackney carriage vehicle.

The application was made by Mr Christopher Jenkins to licence a Ford Tourneo vehicle registration number BV65 VZP as a hackney carriage vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 19 November 2015.

The Team Manager Licensing advised that the application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible.

For Members' information a service report had been provided dated 4 July 2017 with the mileage recorded at 29613, 21 May 2018 with mileage at 46721 and 11 June 2019 with mileage at 52198. MOT Test Certificates had also been provided for 6 July 2017 with the mileage recorded at 29747, 12 June 2018 with mileage at 49115 and 28 June 2019 with mileage at 55199. The current mileage of the vehicle was 57,279 miles.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration BV65 VZP as a Hackney Carriage Vehicle.

Members noted that the application fell outside the policy guidelines due to the vehicles age.

Members further noted that the Policy at paragraph 4.4 allowed it to be relaxed in exceptional circumstances as detailed in the report.

Having examined the vehicle, the Sub-Committee felt that the vehicle was exceptional in terms of quality and safety qualities and therefore granted the licence.

171. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the Sub-Committee to consider an application to grant a licence for a hackney carriage vehicle.

The application was made by Mr Karl Svensen to licence a Ford Transit Custom vehicle registration number LN66 NYZ as a hackney carriage vehicle to sit 8 People. The vehicle was pre-owned and was first registered at the DVLA in September 2016. The application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible. A service report had been provided dated 6 September 2019 with the mileage recorded at 56180 and an MOT Test Certificate had also been provided dated 6 September 2019 with the mileage recorded at 56181. The current mileage of the vehicle was 56,530.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration LN66 NYZ as a Hackney Carriage Vehicle.

Members noted that the application fell outside the policy guidelines due to the vehicles age.

Members further noted that the Policy at paragraph 4.4 allowed it to be relaxed in exceptional circumstances as detailed in the report.

Having examined the vehicle, the Sub-Committee noted that there was significant damage to one of the panels and therefore refused the licence.

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 licence a private hire vehicle.

The application was made by Forge Travel Limited to licence a Mercedes Vito vehicle registration number KV18 WPT as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 29 March 2018. The application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible. A service report had been provided dated 22 July 2019 with the mileage recorded at 36093. The current mileage of the vehicle was 36,488.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number KV18 WPT as a Private Hire Vehicle.

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

Members further noted that the Policy at paragraph 2.2 allowed 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.

173. URGENT ITEMS

None

174. 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.

175. APPLICATION FOR GRANT OF LICENCES

176. APPLICATION FOR GRANT OF LICENCES

177. APPLICATION FOR RENEWAL OF LICENCES

178. APPLICATION FOR RENEWAL OF LICENCES

179. APPLICATION FOR GRANT OF LICENCES

The meeting closed at 14:00

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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, 22 OCTOBER 2019 AT 10:00

Present

Councillor PA Davies – Chairperson

A Hussain RM James JE Lewis

Apologies for Absence

B Jones, JR McCarthy and G Thomas

Officers:

Katia Daw Lawyer
Michael Pitman Business & Administrative Apprentice
Yvonne Witchell Team Manager Licensing

181. DECLARATIONS OF INTEREST

None

182. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the 27/08/19 be approved as a true and accurate record.

183. 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 licence for a private hire vehicle.

The report advised that application was being made by Robert Sheldon, to licence a Mercedes Vito Tourer Select, vehicle registration number KP18 HFC as a private hire vehicle to seat 7 persons. The vehicle was pre-owned and first registered at the DVLA on 4 April 2018.

The application fell outside the Private hire Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. No additional documentation was submitted including an MOT certificate as the requirement for an MOT was due until the vehicle had reached 3 years old

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 15,904

The Policy guidelines relating to applications for the licence of Private Hire Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

RESOLVED: The Sub-Committee considered the application to register KP18 HFC as a private hire vehicle.

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

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

184. **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 licence for a private hire vehicle.

The report advised that application was being made by Carl Lemmer, to licence a Seat Toledo SE, vehicle registration number CK14 GVR as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on 29 April 2014.

The application fell outside the Private hire Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. An MOT certificate and service history was provided which was detailed at paragraph 4.3 of the report.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 64,009

The Policy guidelines relating to applications for the licence of Private Hire Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

RESOLVED: The Sub-Committee considered the application to register CK14 GVR as a private hire vehicle.

Members noted that it fell outside of policy 2.1 due to the vehicles 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.

185. **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 licence for a Hackney Carriage vehicle.

The report advised that application was being made by Karl Svensen, to licence a Ford Transit Custom, vehicle registration number LN66 NYZ as a Hackney Carriage Vehicle to seat 8 persons. The vehicle was pre-owned and first registered at the DVLA on September 2016.

The application fell outside the Private hire Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. An MOT certificate and service history was provided which was detailed at paragraph 4.3 of the report.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 56,907

The Policy guidelines relating to applications for the licence of Hackney Carriage Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

RESOLVED: The Sub-Committee considered the application to register LN66 NYZ as a Hackney Carriage Vehicle.

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

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

186. **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 licence for a Hackney Carriage vehicle.

The report advised that application was being made by Richard Parrott, to licence a Toyota Avenis, vehicle registration number FH18 SUU as a Hackney Carriage Vehicle to seat 4 persons. The vehicle was pre-owned and first registered at the DVLA on September 2016.

The application fell outside the Private hire Vehicle Policy approved by the Licensing Committee, for the reasons detailed in paragraph 4.4 of the report. The vehicle was not wheelchair accessible. A service history was provided which was detailed at paragraph 4.3 of the report.

Members then proceeded to inspect the vehicle which was situated in the Civic Offices basement car park.

Upon the meeting reconvening it was confirmed that the current mileage of the vehicle was 14,021

The Policy guidelines relating to applications for the licence of Hackney Carriage Vehicles was detailed in paragraph 4.4 of the report.

Members then retired to consider the application further and upon reconvening, it was

RESOLVED: The Sub-Committee considered the application to register FH18 SUU as a Hackney Carriage Vehicle.

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

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

187. URGENT ITEMS

None

188. 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.

189. APPROVAL OF EXEMPT MINUTES

RESOLVED: That the exempt minutes of the meeting of the 27/08/19 be approved as a true and accurate record.

190. APPLICATION FOR GRANT OF LICENCES

191. APPLICATION FOR RENEWAL OF LICENCES

192. DISCIPLINARY HEARING FOR EXISTING TAXI DRIVER

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

17 DECEMBER 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 Paul Brain, Peyton Travel Limited of Bridgend to licence a Renault Traffic Sport DCI vehicle registration number CV18 WZM as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 10 June 2018.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. The first MOT is due in June 2021. No other documentation has been provided.
- 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 11 December 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

17 DECEMBER 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 Plan / Other Corporate Priorities.

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 Paul Brain, Peyton Travel Limited of Bridgend to licence a Dacia Logan vehicle registration number LF17 WZM as a hackney carriage vehicle to seat 4 persons.

- 4.2 The vehicle was first registered at the DVLA on 31 March 2017.

- 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 report for the vehicle has been submitted dated 12 December 2018 with the mileage recorded at 11882.

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:

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 11 December 2019

Yvonne Witchell
Team Manager Licensing

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

Background documents

Hackney Carriage Vehicle Application
Hackney Carriage Vehicle Policy Guidelines

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

17 DECEMBER 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 Plan / Other Corporate Priorities.

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 Emma Parrott of Porthcawl to licence a Toyota Avensis vehicle registration number MD66 WXJ as a hackney carriage vehicle to seat 4 persons.

- 4.2 The vehicle 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. For Members' information a service report for the vehicle has been submitted dated 8 July 2018 with the mileage recorded at 17357 and 10 September 2019 with the mileage at 31925.

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:

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 11 December 2019

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Team Manager Licensing

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Hackney Carriage Vehicle Policy Guidelines

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

17 DECEMBER 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 Plan / Other Corporate Priorities.

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 Emma Parrott of Porthcawl to licence a Toyota Avensis vehicle registration number MF17 OJN as a hackney carriage vehicle to seat 4 persons.

- 4.2 The vehicle was first registered at the DVLA on 31 March 2017.

- 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 report for the vehicle has been submitted dated 1 November 2018 with the mileage recorded at 11620 and 15 November 2019 with the mileage at 14609.

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:

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 11 December 2019

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Team Manager Licensing

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Background documents

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Hackney Carriage Vehicle Policy Guidelines

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

17 DECEMBER 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 David Llewellyn of Pyle, Bridgend to licence a Mercedes E Class vehicle registration number VK17 OHX as a private hire vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 18 May 2017.
- 4.3 The application falls outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. A service report has been submitted for the 18 April 2017 with the mileage recorded at 12344 and 18 April 2019 with the mileage at 25524.

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 11 December 2019

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Background documents

Private Hire Vehicle Application
Private Hire Vehicle Policy Guidelines

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