

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD REMOTELY VIA MICROSOFT TEAMS ON TUESDAY, 13 APRIL 2021 AT 10:00

Present

Councillor DRW Lewis – Chairperson

TH Beedle
JE Williams

MJ Kearn

AA Pucella

G Thomas

Apologies for Absence

RJ Collins

Officers:

Mark Galvin	Interim Democratic Services Manager
Will Lane	Operational Manager Shared Regulatory Services
Andrea Lee	Senior Lawyer
Michael Pitman	Democratic Services Officer - Committees
Yvonne Witchell	Team Manager Licensing

281. DECLARATIONS OF INTEREST

None.

282. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager – Licensing presented a report, the purpose of which, was to ask the Sub-Committee to determine an application to grant a licence for a private hire vehicle. She confirmed that the application fell outside the age policy guidelines adopted by the Licensing Committee (for the reasons contained within the report).

She advised that an application had been made by Robin Leigh of Bridgend to licence an Audi A6 vehicle registration number UIG 7568 as a private hire vehicle to seat 4 persons.

The vehicle was pre-owned, was first registered at the DVLA on 29 September 2011 and the above is a private number plate. The V5 Registration document, confirmed that Mr Leigh acquired the vehicle on 2 March 2021. He had been made aware of the age policy guidelines in place for the grant of vehicle licences and wished to pursue the application.

The vehicle falls outside of the age policy guidelines for first licensing of vehicles, as set out in paragraph 4.5 of the report and did not fall into the category of a minibus wheelchair accessible fitted with a tail lift.

Mr Leigh had submitted supporting documentation which was attached at Appendix A to the report. The last MOT Certificate issued was attached at Appendix B.

In terms of the Licensing Policy guidelines, the following policy extract was approved by the Licensing Committee on 17 November 2020 and came into effect on 1 February 2021. This followed a request from the trade to relax the previous age policy guidelines.

“From 1 February 2021, vehicles submitted for licensing for the first time must be less than 5 years old from the date of first registration; or first use/date of manufacture if the

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vehicle is imported, with the exception of minibus type vehicles fitted with permanent automated tail lifts which may be aged up to 10 years on first licensing.”

The Council’s licensing page also included the following advice:-

‘If you are in any doubt about whether a vehicle falls within policy guidelines please email us for advice before you make a financial commitment.’

The policy guidelines applied equally to both hackney carriage and private hire vehicles.

The Team Manager – Licensing advised the Sub-Committee, that the vehicle subject of the application was almost 10 years old and therefore fell outside of the policy guidelines detailed above.

Mr. Leigh in support of his application, advised Members that the reason he bought the vehicle to licence as a Private Hire Vehicle, was due to the fact that notwithstanding its age, it was in excellent condition and had a full Audi service history. It had one mark on the wheels when he purchased it, so he decided to have all the wheels on the car then re-conditioned. Mr. Leigh asked the Sub-Committee if they had seen photographs of the vehicle, in order for them to see the supreme condition it was in.

The Chairperson on behalf of Members, advised that the Sub-Committee had not been provided with photographs of the vehicle as part of the report and supporting information that had been circulated with the agenda.

The Team Manager – Licensing advised that a Licensing Officer had checked over the vehicle and had measured the seats in the vehicles interior, as they had to meet the required guidelines. She advised that Mr. Leigh had not provided the Licensing Section with photographs of the vehicle.

Mr. Leigh confirmed that the Licensing Officer who had inspected the vehicle had taken photographs of it.

The Legal Officer noted the above and the fact that the applicant had also taken photographs of the vehicle himself. She stated that he was aware that the vehicle did not conform with Licensing Policy guidelines, primarily due to its age so therefore she asked him, why he had not provided further evidence of the vehicles condition, so as to portray to the Sub-Committee that the vehicle was suitable for a taxi, due to its excellent condition.

Mr. Leigh contested this, in that the Licensing Officer had taken photographs of the vehicle. The Legal Officer advised that they had taken photographs of the vehicle and had inspected it, in order to establish the interior seat sizes.

Mr. Leigh argued then why the Licensing Officer had not taken photographs of the external area of the vehicle as well as its interior.

The Chairperson following guidance off Officers, then retired with Members, in order to decide whether the application so before them should be determined today on its merits based on the report that was before the Sub-Committee, or alternatively to adjourn the meeting, in order to allow Mr. Leigh to supply photographs of the vehicle to show its condition. The Sub-Committee would then reconvene either later today, or on an alternative date to be agreed upon.

Upon Members returning to the meeting, it was

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RESOLVED: That the meeting of the Sub-Committee stands adjourned and reconvenes on Friday 16 April 2021 at 10.00am, in order to allow Mr. Leigh the opportunity to share photographs of the above vehicle with Members, prior to them making a decision on the application.

The Sub-Committee reconvened on 16 April 2021 at the above stated time.

The Team Manager – Licensing advised Members that Mr. Leigh had telephoned the Licensing Section since Tuesday’s original meeting and confirmed verbally that he wished to withdraw his application. The Licensing Section had attempted to make further contact with Mr. Leigh following the receipt of this call, just to ensure, for any avoidance of doubt, that he was definitely withdrawing his application. However, this had proved unsuccessful. In light of this latest information, the Sub-Committee

RESOLVED: That the Sub-Committee noted Mr. Leigh had withdrawn his application.

283. **URGENT ITEMS**

None.

The meeting closed at 11:45