

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, 18 OCTOBER 2016 AT 10.00 AM

Present

Councillor DRW Lewis – Chairperson

GW Davies MBE

PA Davies

E Dodd

DG Owen

Officers:

Katia Daw

Lawyer

Andrew Rees

Senior Democratic Services Officer - Committees

Yvonne Witchell

Team Manager Licensing

136. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor CJ James

Councillor PN John

137. DECLARATIONS OF INTEREST

Councillor DG Owen declared a personal and prejudicial interest in agenda item 12 – Application for Grant of New Licence as he is known to the applicant and withdrew from the meeting during consideration thereof.

138. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meetings of the Licensing Act 2003 Sub-Committee of 17 June and 16 August 2016 and the minutes of the meeting of the Licensing Sub-Committee of 23 August 2016 be approved as a true and accurate record.

139. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Peter Dennis to licence a Ford Tourneo Custom registration number CA14 WFU as a hackney carriage vehicle to seat 8 persons.

Mr Dennis attended in support of his application and the Sub-Committee adjourned the meeting in order to view the vehicle. On inspecting the vehicle, the mileage was confirmed as 85,903 miles. The vehicle is not wheelchair accessible. The Team Manager Licensing informed the Sub-Committee that the vehicle was previously licensed as a hackney carriage until 7 September 2016 and falls outside the Hackney Carriage Vehicle Policy, including the existing discretion to relax the hackney carriage age policy in respect of wheelchair accessible vehicles.

The applicant informed the Sub-Committee in detail of the circumstances which had led to the break-up of the business partnership he was in which terminated on 6 September 2016. He was unaware at that time that the vehicle had become unlicensed as his

business partner had previously concentrated on the taxi side of the business, while he concentrated on the mini bus side of the business. He informed the Sub-Committee that business operated as a company and on the advice of his accountant dissolved the company.

The Team Manager Licensing informed the applicant of the importance of ensuring that the registration documents and vehicle insurance have the same address as the application had revealed three different addresses being used.

In response to a question from the Sub-Committee as to the reason for the high mileage on the vehicle, the applicant stated that the vehicle is used for airport runs.

The Sub-Committee retired to consider the application and on their return, it was:

**RESOLVED:** That the Sub-Committee has considered the application to licence a Ford Tourneo Custom registration number CA14 WFU formerly a licenced hackney carriage until September 2016 and the reasons for the licence not being renewed.

The Sub-Committee has noted the application falls outside paragraph 2.1 of the policy but that under paragraph 2.2 of the policy may be relaxed in exceptional circumstances.

Given the exceptional quality of the vehicle and safety standards as well as the reasons for not renewing the licence 6 weeks previously, the Sub-Committee feel that there are exceptional circumstances in this case and are prepared to grant the licence.

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

The Team Manager Licensing submitted a report regarding an application by David Llewellyn to licence a Mercedes E Class vehicle registration number ML13 GWZ as a private hire vehicle to seat 4 persons.

Mr Llewellyn attended in support of his application and the Sub-Committee adjourned the meeting in order to view the vehicle. On inspecting the vehicle, the mileage was confirmed as 44,111 miles. The vehicle is pre-owned and first registered at the DVLA on 29 April 2013. The vehicle is not wheelchair accessible. The Team Manager Licensing informed the Sub-Committee that the application falls outside the policy guidelines for the first licensing of private hire vehicles. The applicant had provided a service history for the vehicle including a MOT test certificate.

The applicant informed the Sub-Committee that in the event of his application being successful he proposed to use the vehicle as part of his executive airport transfer business. He also informed the Sub-Committee that he also undertook delivery work for British Airways and the Royal Mint.

The Sub-Committee retired to consider the application and on their return, it was:

**RESOLVED:** That the Sub-Committee has considered the application to licence a Mercedes E Class vehicle registration number ML13 GWZ as a private hire vehicle.

The Sub-Committee has noted the application falls outside paragraph 2.1 of the Private Hire Vehicle Policy due to the age of the vehicle. The Sub-Committee has noted the provisions of

paragraph 2.2.5 which allow a relaxation of the policy in certain situations. A few of these situations apply to this vehicle including exceptional exterior and interior quality of the vehicle and exceptional standards of safety.

As such, the Sub-Committee granted the licence.

141. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by David Llewellyn to licence a Mercedes E Class vehicle registration number SG13 SNV as a private hire vehicle to seat 4 persons.

Mr Llewellyn attended in support of his application and the Sub-Committee adjourned the meeting in order to view the vehicle. On inspecting the vehicle, the mileage was confirmed as 23,106 miles. The vehicle is pre-owned and first registered at the DVLA on 6 August 2013. The vehicle is not wheelchair accessible. The Team Manager Licensing informed the Sub-Committee that the application falls outside the policy guidelines for the first licensing of private hire vehicles. The applicant had provided a service history for the vehicle including a MOT test certificate.

The applicant informed the Sub-Committee that in the event of his application being successful he proposed to use the vehicle as part of his executive airport transfer business. He also informed the Sub-Committee that he also undertook delivery work for British Airways and the Royal Mint.

The Sub-Committee retired to consider the application and on their return, it was:

RESOLVED: That the Sub-Committee has considered the application to licence a Mercedes E Class registration number SG13 SNV as a private hire vehicle.

The Sub-Committee has noted the application falls outside paragraph 2.1 of the Private Hire Vehicle Policy due to the age of the vehicle. The Sub-Committee has noted the provisions of paragraph 2.2.5 which allow a relaxation of the policy in certain situations. A few of these situations apply to this vehicle including exceptional exterior and interior quality of the vehicle and exceptional standards of safety.

As such, the Sub-Committee granted the licence.

142. URGENT ITEMS

There were no urgent items.

143. 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 contain exempt information as defined in Paragraph 12 of Part 4 and/or Paragraph 21 of Part 5 of Schedule 12A of the Act.

**LICENSING SUB-COMMITTEE B - TUESDAY, 18 OCTOBER 2016**

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.