

LICENSING SUB-COMMITTEE B - THURSDAY, 19 OCTOBER 2017

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 19 OCTOBER 2017 AT 10.00 AM

Present

Councillor – Chairperson

RJ Collins  
JE Lewis

A Hussain  
G Thomas

RM James

MJ Kearn

Apologies for Absence

Officers:

Nick Dennison  
Julie Ellams  
Yvonne Witchell

Trainee Solicitor  
Democratic Services Officer - Committees  
Team Manager Licensing

23. DECLARATIONS OF INTEREST

Councillor M James declared a prejudicial interest in agenda item 9 – Application for Renewal of Licence as the applicant was known to him. Councillor James left the meeting prior to the application being considered.

24. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Sub-Committee of 30 June and 17 August 2017 and the Minutes of the Licensing Act 2003 Sub-Committee of 27 June 2017 be approved as a true and accurate record.

25. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Team Manager Licensing submitted a report regarding an application by Mr Richard Phillips to Licence a Ford Transit Tourneo Custom vehicle registration number WR64 YDC as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 30 November 2014.

Mr Phillips 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 53,797 miles. The Team Manager – Licensing confirmed that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee but a relaxation could be considered in exceptional circumstances. The vehicle was not wheelchair accessible. A service history had been provided confirming the mileage at 39,114 on 5 November 2016.

The applicant informed the Sub-Committee that in the event of his application being successful, he proposed to use the vehicle for adventure tours.

A Member asked if the vehicle would be used to carry wheelchairs and he was advised that it would not be used for that purpose.

The Sub-Committee retired to consider the application.

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**RESOLVED:** The Committee considered the application of Richard Phillips for the grant of a private hire vehicle licence in respect of vehicle registration number WR64 YDC.

It was noted that the application fell outside of the Licensing Policy for registration under paragraph 2.1.

The Members considered paragraph 2.2 and 2.25 of the policy and the exceptional circumstances in which the policy might be relaxed. The Members considered that the exceptional condition of the interior and exterior and exceptional standards of safety applied in this case.

The Sub-Committee therefore granted the application for the licence.

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

The Team Manager Licensing submitted a report regarding an application by Mr Paul Brain trading as Peyton Travel Limited, to license a Dacia Logan vehicle registration number EX66 FFB as a hackney carriage vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 26 November 2016. The service history was not available.

Mr Phillips 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 16,144 miles.

The Trainee Solicitor reported that the vehicle policies applicable to this application were Policy 2.2 and 2.2.1 and not the policies listed in the report. The applicable policies related to the date the vehicle was first licenced.

The applicant explained that the vehicle was 11 months old and was purchased from the dealer. Originally Mr Brain did not intend licensing the vehicle but it was in good condition so he wanted to replace a 7 year old vehicle which he already owned.

The Team Manager reported that form V5 indicated that the vehicle was acquired on 30<sup>th</sup> March. Mr Brain confirmed that this was correct and the vehicle had originally been purchased for his mother and that he had no problems registering the vehicle.

The Sub-Committee retired to consider the application.

**RESOLVED:** The Committee considered the application of Paul Brain for the grant of a Hackney Carriage Vehicle licence in respect of vehicle registration number EX66 FFB.

It was noted that the application fell outside of the Licensing Policy for registration under paragraph 2.1 in that applications should be submitted to the Council within 14 days of the first registration with the DVLA. The mileage at the time of the application should be no greater than 500 miles.

The Committee had considered the application and noted that the current mileage was 16,144 and was first registered with the DVLA on 26 November 2016. The Committee noted that the vehicle was

acquired in March 2017 and there were no issues with the registration.

The Members considered the guidelines under paragraph 2.2.1 and that a relaxation of the policy was likely to relate only to evidence of delay in the DVLA registration or minor variations in delivery mileage.

The Committee did not consider that the exemption applied in this instance and so refused the application.

27. URGENT ITEMS

None

28. 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.