

LICENSING SUB-COMMITTEE A - TUESDAY, 5 JUNE 2018

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD IN COMMITTEE ROOMS 2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 5 JUNE 2018 AT 10:00

Present

Councillor DRW Lewis – Chairperson

SE Baldwin
JE Williams

TH Beedle

RJ Collins

DG Owen

Officers:

Katie Brook	Senior Licensing Technical Officer
Katia Daw	Lawyer
Julie Ellams	Democratic Services Officer - Committees
Michael Pitman	Business & Administrative Apprentice
Yvonne Witchell	Team Manager Licensing

108. APOLOGIES FOR ABSENCE

None

109. DECLARATIONS OF INTEREST

None

110. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Corporate Director Operational and Partnership Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Private Hire Vehicle.

The application was made by Peyton Travel to licence a Renault Trafic, registration number HK65 EOP as a private hire vehicle to seat 8 persons. The vehicle was pre-owned and was first registered at the DVLA on 24th November 2015.

The meeting was briefly adjourned for Members to inspect the vehicle.

Upon recommencing the meeting, the Team Manager (Licencing) advised members that the current mileage of the vehicle was at 32,324 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licencing 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 service history was provided which was issued on the 23rd May 2017, with the mileage at that time being 21,107. The vehicle was recently inspected by an enforcement officer on the 25th May 2018 and confirmed the mileage at the time as 32,302. The vehicle was presented in good condition with no visible faults or issues.

The Team Manager (Licencing) asked the applicant to give Members' an outline of the vehicles history.

The applicant stated that he used the vehicle for daily transport as well as airport transfers and long distance travel. He also stated that he intends to purchase a new vehicle in the future so he can accommodate wheelchair uses more effectively.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number HK65 EOP 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 and exterior, as well as being excellent in terms of its safety qualities. The Sub-committee therefore granted the licence.

111. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Corporate Director Operational and Partnership Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Private Hire Vehicle.

The application was made by Peyton Travel to licence a Dacia Logan, registration number PK65 FFE as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 23rd November 2015.

The meeting was briefly adjourned as Members and Offices proceeded to the Council Chamber Basement carpark to inspect the vehicle.

Upon recommencing the meeting, the Team Manager (Licencing) advised members that the current mileage of the vehicle was at 47,093 miles. She stated that the vehicle fell outside the Private Hire Vehicle Policy approved by the Licencing 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 service history was provided which was issued on the 18th August 2016, with the mileage at that time being 15,336. The vehicle was recently inspected by an enforcement officer on the 25th May 2018 and confirmed the mileage at the time as 47,083. The vehicle was presented in good condition with no visible faults or issues.

The Team Manager (Licencing) asked the applicant to give Members' an outline of the vehicles history.

The applicant stated that he uses the vehicle mainly for long distance transport as well as frequent airport transportation. This vehicle would replace a 9 year old vehicle and better quality, lower mileage and more comfortable.

The applicant also stated that the previous inspection discovered a faulty rear wiper; this was down to a fuse that had since been replaced and it was now working. He also stated that a recent dent on the bonnet will be fixed in the next couple of weeks.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number PK65 FFE 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 interior and the exterior was overall good quality.

In view of this, the Sub-Committee therefore granted the licence on the basis that the repair to the bonnet was carried out as soon as possible.

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

The Corporate Director Operational and Partnership Services submitted a report, which asked the Sub-Committee to consider an application to grant a licence for a Private Hire Vehicle.

The application was made by David Llewellyn t/a Executive Cars Wales, registration number YY64 TAV as per the report, as a private hire vehicle to seat 4 persons. The vehicle was preowned and was first registered at the DVLA on 27th November 2014.

The meeting was briefly adjourned as Members and Offices proceeded to the Council Chamber Basement carpark to inspect the vehicle.

Upon recommencing the meeting, the Team Manager (Licencing) advised members that the current mileage of the vehicle was at 31,298 miles.

It was also made aware that the number plate had been replaced with another one. The current number plate is S40 DKL and all the necessary paperwork was provided to support this change. Details of the MOT and service history are stated in the report under section 4.3.

Mr Llewellyn was asked to provide some background to the vehicle and its use.

He stated that he used the vehicle mainly for long distance transport as well as airport transport. The vehicle was one of seven vehicles he owned all used for the same purpose.

RESOLVED: The Sub-Committee considered the application to licence Vehicle Registration number S40 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 interior and exterior.

In view of this, the Sub-Committee therefore granted the licence.

113. 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, advising that an application had been received from Darker Enterprises Ltd for the renewal of the Sex Establishment Licence in respect of the above premises, which was placed before the Sub-Committee for consideration, as powers had not been delegated under the Scheme of Delegation to Officers.

She informed Members that the applicant had informed the Licensing Section in advance of the meeting that he would be unable to attend today's meeting.

The report outlined certain background information, following which the Senior Licensing Officer (Technical) confirmed that that applicant had complied with the statutory requirements to advertise the application, and that following this, no responses had been received in response to the Public Notice and neither had any representations from Statutory Consultees been made in respect of the application. The current licence was subject to the Council's standard conditions, as well as the special conditions attached at Appendix A to the report.

She also stated that an inspection of the premises had been carried out by the Council's Enforcement Officer and no breaches of the current licence had been identified. There was no Council policy relating to the grant of licences for this category of establishment.

Paragraph 4.7 of the report then outlined guidance for Members with regard to the application, whilst paragraph 4.8 outlined that the applicant would have a right of appeal to the Magistrates' Court if such renewal application was refused by the Sub-Committee.

RESOLVED: That the application made by Darker Enterprises Ltd for the renewal of the Sex Establishment Licence for the above premises be granted.

114. URGENT ITEMS

None

115. 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

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public interest in disclosing the information, because the information would be prejudicial to the applicants so mentioned.

116. APPLICATION FOR RENEWAL OF LICENCES

117. DISCIPLINARY HEARING FOR EXISTING TAXI DRIVER

The meeting closed at 12:09