

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

14 JANUARY 2020

REPORT OF THE CHIEF OFFICER - LEGAL, HR & 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 On 17 December 2019 this same application was put before the Licensing Sub-Committee who resolved to refuse the application due to safety concerns in relation to the rear seats.
- 4.5 On 8 January 2020 Licensing Enforcement Officer; Andrew Brown inspected a similar vehicle situated at a local car dealership; a 2018 Toyota Avensis.

The Licensing Enforcement Officer checked the rear seats of this vehicle and found that when the seats are pushed down the side seat belts hang to the side of the seat locking hook, when the seats are firmly pushed back (making sure the seat belts are not dragged in front of the securing hook) the seats are very secure with no quality or safety concerns. It was noted by the Licensing Enforcement Officer that the rear

side belts could be inadvertently dragged in front of the securing hook when pushing the seat back into an upright position, causing a locking problem.

Pictures of the inspected vehicle can be found in **Appendix A**.

4.6 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
CHIEF OFFICER - LEGAL, HR & REGULATORY SERVICES
Date 8 January 2020

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

Hackney Carriage Vehicle Application
Hackney Carriage Vehicle Policy Guidelines