

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

22 SEPTEMBER 2020

REPORT OF THE CHIEF OFFICER – LEGAL, HR AND 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 This report relates to the Council's regulatory functions. There is no direct link to the Corporate Improvement Plan / Other Corporate Priority.

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 An application has been made by Graham Thomas of Bridgend to licence a BMW 520D vehicle registration number BN66 BVF as a hackney carriage vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 27 September 2016.
- 4.3 The application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible. A service report has been submitted dated 26 August 2018 with the mileage recorded as 11,509, 5 November 2019 with mileage at 27,500 and 10 March 2020 with mileage at 32,483. An MOT Certificate has also been submitted dated 16 July 2020 with the mileage recorded at 34,605.
- 4.4 On 15 September 2020 a Licensing Enforcement Officer inspected the vehicle and the vehicle was found to be in good condition. A Vehicle Assessment form is provided at Appendix A. At the time of inspection the mileage was recorded at 34853.

4.5 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 not 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 AND REGULATORY SERVICES

Date 16 September 2020

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Background documents

Hackney Carriage Vehicle Application

Hackney Carriage Vehicle Policy Guidelines