

LICENSING SUB-COMMITTEE B - TUESDAY, 11 FEBRUARY 2020

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, 11 FEBRUARY 2020 AT 10:00

Present

Councillor PA Davies – Chairperson

RM James

JE Lewis

JR McCarthy

G Thomas

Apologies for Absence

A Hussain and B Jones

Officers:

Julie Ellams

Democratic Services Officer - Committees

Kirsty Evans

Senior Licensing Officer

Andrea Lee

Senior Lawyer

Yvonne Witchell

Team Manager Licensing

207. DECLARATIONS OF INTEREST

Cllr G Thomas declared a prejudicial interest in items 9 and 10, "Application to Licence Hackney Carriage Vehicle" and left the meeting during consideration of these items because he knew the applicant/representative.

208. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting dated 17th December 2019 be approved as a true and accurate record.

209. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the sub-committee to consider an application to grant a licence for a private hire vehicle.

The application was made by Mr Simon Whale of South Cornelly, Bridgend to licence a Vauxhall Insignia vehicle registration number KW65 OXL as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 5 February 2016. The current mileage of the vehicle was 35,512.

The Team Manager Licensing advised that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible. A service report had been submitted for the 8 February 2017 with the mileage recorded at 9162, 1 March 2018 with the mileage at 17453, 11 March 2019 with mileage at 27359 and 11 December 2019 with the mileage at 35272. An MOT had been submitted dated 14 January 2020 with the mileage recorded at 35277.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration KW65 OXL as a private hire vehicle.

Members noted that the application fell outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allowed it to be relaxed in exceptional circumstances as 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. The Sub-Committee therefore granted the licence.

210. APPLICATION TO LICENCE PRIVATE HIRE VEHICLE.

The Head of Legal and Regulatory Services submitted a report asking the sub-committee to consider an application to grant a licence for a private hire vehicle.

The application was made by Driven Personal Hire Limited of Porthcawl and Alan Brown of North Cornelly, Bridgend to licence a Citroen C4 Picasso Exec Blue HDI vehicle registration KY15 YBU as a private hire vehicle to seat 4 persons. The vehicle was pre-owned and was first registered at the DVLA on 27 March 2015. The current mileage of the vehicle was 52,848.

The Team Manager Licensing advised that the application fell outside the Private Hire Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible. A service report had been submitted for the 5 January 2016 with the mileage recorded at 14364 and an MOT had been submitted dated 7 January 2020 with the mileage recorded at 45121.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration KY15 YBU as a private hire vehicle.

Members noted that the application fell outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allowed it to be relaxed in exceptional circumstances as 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. The Sub-Committee therefore granted the licence.

211. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the sub-committee to consider an application to grant a licence for a hackney carriage vehicle.

The application was made by Somir Uddin of Port Talbot to licence a Toyota Auris Excel Hybrid vehicle registration FN68 UCU as a hackney carriage vehicle to seat 4 persons. The vehicle was first registered at the DVLA on 14 September 2018. The current mileage of the vehicle was 10,759.

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The Team Manager Licensing advised that the application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible. A service report for the vehicle had been submitted dated 9 September 2019 with the mileage recorded at 10074 and 15 January 2020 with mileage at 10711.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration FN68 UCU as a hackney carriage vehicle.

Members noted that the application fell outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allowed it to be relaxed in exceptional circumstances as 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. The Sub-Committee therefore granted the licence.

212. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the sub-committee to consider an application to grant a licence for a hackney carriage vehicle.

The application was made by Shamal Chowdhury of Bridgend to licence a Seat Alhambra vehicle registration HGZ 8870 a hackney carriage vehicle to seat 6 persons. The vehicle was first registered at the DVLA on 13 December 2017. The current mileage of the vehicle was 11269.

The Team Manager Licensing advised that the application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible. A service report for the vehicle had been submitted dated 17 December 2019 with the mileage recorded at 10744.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration HGZ 8870 as a hackney carriage vehicle.

Members noted that the application fell outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allowed it to be relaxed in exceptional circumstances as 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. The Sub-Committee therefore granted the licence.

213. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the sub-committee to consider an application to grant a licence for a hackney carriage vehicle.

The application was made by Lyn Hiscock of Bridgend to licence a BMW 520 Touring vehicle registration AE66 UBO a hackney carriage vehicle to seat 4 persons. The vehicle was first registered at the DVLA on 7 September 2016. The current mileage of the vehicle was 37818.

The Team Manager Licensing advised that the application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle was not wheelchair accessible. A service report for the vehicle had been submitted dated 21 January 2020 with the mileage recorded at 37782. A current MOT had also been supplied with mileage recorded at 37782.

The Team Manager Licensing referred the Sub-Committee to the relevant extract from the vehicle policy applicable to this application.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration AE66 UBO as a hackney carriage vehicle.

Members noted that the application fell outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allowed it to be relaxed in exceptional circumstances as 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. The Sub-Committee therefore granted the licence.

214. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the sub-committee to consider an application to grant a licence for a hackney carriage vehicle.

The application was made by Lee Grabham of Pyle to licence a Skoda Rapid E saloon vehicle registration YB63 APY as a hackney carriage vehicle to seat 4 persons. The application was accepted on 9 January 2020. The current mileage of the vehicle was 171,511. The vehicle was first registered at the DVLA on 18 December 2013.

The Team Manager Licensing advised that the vehicle was licensed as hackney carriage HCO17 and the licence was due to expire on 18 December 2019. Mr Grabham had supplied a bill of sale to himself dated 6 December 2019 which was attached to the papers. Mr Grabham had provided written authorisation for certain documents to be disclosed as part of his application.

The Team Manager Licensing explained that in terms of the hackney carriage licence, the proprietor notified the Council of the surrender of the licence on 13 December 2019. The licence therefore ceased to have effect on that date and this application was therefore for the grant of a hackney carriage vehicle licence. She added that the application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee and the vehicle was not wheelchair accessible. The last vehicle test was undertaken by Fleet Services on 18 June 2019 with the mileage recorded at 159,762.

There were no notes or advisories in relation to the condition of the vehicle. The applicant had stated that at the time of the sale the vehicle was in a poor state of cleanliness and disrepair and had submitted photographs stated to have been taken at the time of purchase. He also submitted work undertaken on the vehicle included in appendix B to the report. Mr Grabham asked the Sub-Committee to consider the circumstances of the purchase, the improvement made to the condition of the vehicle and asked for the Sub-Committee to consider a relaxation of the age policy under exceptional circumstances.

K Spencer provided background information to the Sub-Committee. She worked with Mr Grabham, the applicant, and was aware of the process. Mr Grabham was under the impression that both this vehicle and the next vehicle, YH64 FPE were licensed. They would never have paid that amount of money for the vehicles if they were not hackney carriages. When the vehicles were collected, they had no spare tyre, first aid kits or fire extinguishers. They took the vehicles to Rely on Tyres to have repair work carried out. When the vehicles were there, the plates were removed and surrendered as taxis. Mr Grabham had spent more than £6,000 improving both vehicles and with the initial cost of the vehicles, he had invested £13,000 in both cars. He was familiar with the policy and asked if it could be relaxed due to the exceptional circumstances.

K Spencer added that the company had weekly inspections and was growing quickly. They had purchased the vehicles to increase the fleet and to serve deprived areas of the community.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration YB63 APY as a hackney carriage vehicle.

Members noted that the application fell outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allowed it to be relaxed in exceptional circumstances as detailed in paragraph 2.4 of the policy.

Having examined the vehicle and considered the information provided, the Sub-Committee felt there were exceptional circumstances and therefore granted the licence.

215. APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

The Head of Legal and Regulatory Services submitted a report asking the sub-committee to consider an application to grant a licence for a hackney carriage vehicle.

The application was made by Lee Grabham of Pyle to licence a Seat Toledo Ecomotive saloon registration number YH64 FPE as a hackney carriage vehicle to seat 4 persons. The application was accepted on 9 January 2020. The current mileage of the vehicle was 129,275. The vehicle was first registered at the DVLA on 7 October 2014.

The Team Manager Licensing advised that the vehicle was licensed as hackney carriage HC255 and the licence was due to expire on 10 October 2020. Mr Grabham had supplied a bill of sale to himself dated 6 December 2019 which was attached to the papers. Mr Grabham had provided written authorisation for certain documents to be disclosed as part of his application.

The Team Manager Licensing explained that in terms of the hackney carriage licence, the proprietor notified the Council of the surrender of the licence on 13 December 2019.

The licence therefore ceased to have effect on that date and this application was therefore for the grant of a hackney carriage vehicle licence. She added that the application fell outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee and the vehicle was not wheelchair accessible. The last vehicle test was undertaken by Fleet Services on 11 October 2019 with the mileage recorded at 126,794. There were advisory comments for attention in relation to a tyre and small oil leak but the vehicle passed the test. The applicant had stated that at the time of the sale the vehicle was in a poor state of cleanliness and disrepair and had submitted photographs stated to have been taken at the time of purchase. He also submitted work undertaken on the vehicle included in appendix B to the report. Mr Grabham asked the Sub-Committee to consider the circumstances of the purchase, the improvement made to the condition of the vehicle and asked for the Sub-Committee to consider a relaxation of the age policy under exceptional circumstances.

K Spencer provided background information to the Sub-Committee. She worked with Mr Grabham, the applicant, and was aware of the process. Mr Grabham was under the impression that both this vehicle and the previous vehicle, YB63 APY were licensed. They would never have paid that amount of money for the vehicles if they were not hackney carriages. When the vehicles were collected, they had no spare tyre, first aid kits or fire extinguishers. They took the vehicles to Rely on Tyres to have repair work carried out. When the vehicles were there, the plates were removed and surrendered as taxis. He spent more than £6,000 improving both vehicles and with the initial cost of the vehicles, he had invested £13,000 in both cars. He was familiar with the policy and asked if it could be relaxed due to the exceptional circumstances.

K spencer added that the company had weekly inspections and was growing quickly. They had purchased the vehicles to increase the fleet and to serve deprived areas of the community.

RESOLVED: The Sub-Committee considered the application to licence vehicle registration YH64 FPE as a hackney carriage vehicle.

Members noted that the application fell outside the Licensing Policy at paragraph 2.1 due to the vehicles age.

Members further noted that the Policy at paragraph 2.2 allowed it to be relaxed in exceptional circumstances as detailed in paragraph 2.4 of the policy.

Having examined the vehicle and considered the information provided, the Sub-Committee felt there were exceptional circumstances and therefore granted the licence.

216. **URGENT ITEMS**

None

217. **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.

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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.

218. APPROVAL OF EXEMPT MINUTES

RESOLVED: That the exempt minutes of the meeting dated 17th December 2019 be approved as a true and accurate record.

The meeting closed at 11:00