

No.

PUBLIC PROTECTION LICENSING COMMITTEE

Minutes of a meeting held on 6th November, 2018.

Present: Councillor V.P. Driscoll (Chairman); Councillors G.A. Cox, R. Crowley, Mrs. P. Drake, O. Griffiths, Dr. I.J. Johnson, K.P. Mahoney, K.F. McCaffer, Mrs. A. Moore, Mrs. J.M. Norman, L.O. Rowlands, J.W. Thomas and Mrs. M.R. Wilkinson.

459 APOLOGIES FOR ABSENCE –

These were received from Councillor Mrs. M. Wright.

460 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 2nd October, 2018 be approved as a correct record.

461 DECLARATIONS OF INTEREST –

No declarations were received.

462 APPLICATION TO WAIVE THE VALE OF GLAMORGAN COUNCIL'S AGE POLICY GUIDELINES FOR THE GRANT OF A PRIVATE HIRE VEHICLE LICENCE, VOLVO V50 (DEH) –

The Head of Shared Regulatory Services presented the report to consider a request by Ms. A. Ewington to waive the Vale of Glamorgan Council's Age Policy Guidelines in respect of a Private Hire Vehicle Licence application for a Volvo V50 Diesel Estate Car Registration, X40 AJE.

The Officer advised that the Age Policy Guidelines for the Vale of Glamorgan had been in operation for a number of years and were last revised on 5th November, 2013 when the class of vehicle to which the Policy applied was simplified. Class One vehicles must be less than five years old to have a licence granted and Ms. Ewington's vehicle fell within the Class One category with the first date of registration being 17th March, 2011 making the vehicle 7 years and 6 months old at the time of application.

On 8th October, 2018 Ms. Ewington submitted an application for a Private Hire Vehicle Licence for the aforementioned vehicle and the officer drew the Committee's attention to a letter provided by Ms. Ewington at Appendix A to the report requesting that the Age Policy Guidelines be waived and that a licence be granted.

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In conclusion, the Head of Shared Regulatory Services stated that if Members were minded to approve the waiver of Age Policy Guidelines in respect of the vehicle, Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 would apply and the vehicle would be presented for testing at the Alps Depot. Therefore, a licence would only be issued from the date that the vehicle received a satisfactory pass certificate.

Following the Officer's presentation of the report, the Chairman invited the Applicant to make any representations.

Ms. Ewington advised the Committee that the vehicle in question was currently her private vehicle and since leaving employment with the Local Authority she had been unable to source a vehicle with the appropriate age and mileage which would prove costly once sourced. If the Committee was minded to approve her request then it would take a bit of pressure off finding the correct vehicle until such time as it became available.

In support of Ms. Ewington, Mr. Thomas (Applicant's Representative) was granted permission by the Chairman to address the Committee and added that the waiver of Age Policy Guidelines had been granted historically for vehicles used as a taxi, however, the vehicle in question was not operating as a taxi and was in immaculate condition which would enhance the Vale of Glamorgan fleet overall.

A Member shared his lack of understanding as to why vehicles in mint condition but over five years of age were not deemed appropriate, however, appreciated that the condition was part of the Council's Policy for a historical reason. The Member also wished to share his surprise that only a letter had been provided as evidence within the agenda papers.

In response, Ms. Ewington apologised for not providing additional evidence within the papers, however advised that it was her understanding that at the time of the hearing it was not necessary as, if the waiver was granted, then the vehicle would be tested at the Alps Depot to determine if the vehicle was suitable.

A Member shared his colleague's concerns over the Council's current Age Policy and moved that the Committee revise the Policy in the near future. The member's motion was subsequently seconded. The Member also wished to add that it was important to note that if the Age Policy was decommissioned, then the vehicle testing would have to be comprehensive.

A Member asked the Applicant if she was planning to run the vehicle independently or freelance with a local taxi firm, to which, Ms. Ewington advised that she would be working in partnership with A2B Taxis to begin with but hoped to achieve an independent licence in the future.

In light of the Applicant's experience with the Vale of Glamorgan's Licensing Policy, the Chairman asked for the Applicant's opinion on the current age restrictions. Ms. Ewington advised that judging a vehicle solely on its age was not an accurate way to distinguish if the vehicle was suitable as the only way to do this was for the

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vehicle to be tested at the Alps Depot. Ms Ewington added that the taxi trade would be happy to operate within guidelines regarding the age of vehicles as the owners would know the history of their vehicles very well and each vehicle had its own unique history and general wear and tear. On a final point, Ms. Ewington also wished to add that she currently had two professional companies trying to resource a suitable vehicle for her.

At this point, Mr. Thomas (Applicant's Representative) wished to add that the trade would be extremely grateful and willing to be included in any consultation of the Age Policy in the future.

RECOMMENDED –

(1) T H A T the request to waive Vale of Glamorgan Council's Age Policy Guidelines in respect of the Private Hire Vehicle Licence application for a Volvo V50 Diesel Estate Car Registration, X40 AJE be granted having had regard to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976.

(2) T H A T the Vale of Glamorgan Council's Age Policy Guidelines in respect of Private Hire Vehicle Licence applications be reviewed.

Reasons for decisions

(1) The Committee had regard to the facts presented by the Officer, the evidence presented by the Applicant and the guidelines in the Council's Age Policy Guidelines.

(2) To assess the relevance of the current policy guidelines.