

No.

PUBLIC PROTECTION LICENSING COMMITTEE

Minutes of a meeting held on 30th April, 2019.

Present: Councillor V.P. Driscoll (Chairman); Councillor Mrs. J.E. Charles (Vice-Chairman); Councillors 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, Mrs. M.R. Wilkinson and Ms. M. Wright.

930 APOLOGY FOR ABSENCE -

This was received from Councillor G.A. Cox.

931 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 2nd April, 2019 be approved as a correct record.

932 DECLARATIONS OF INTEREST -

No declarations were received.

933 APPLICATION TO WAIVE THE AGE POLICY GUIDELINES FOR THE GRANT OF A PRIVATE HIRE VEHICLE LICENCE VW SHARAN MPV DIESEL YK63 KCC (DEH) -

The Licensing Officer advised that on 1st April 2019, Vale Rentals Ltd. submitted an application for a Private Hire Vehicle Licence for a VW SHARAN MPV Diesel car Registration YK63 KCC. The application was accompanied by a written request that consideration be given to waiving the Age Policy Guidelines. In addition, Mr. Ahmed (Applicant), on behalf of Vale Rentals Ltd., stated that the vehicle was in very good condition, however, no other details were provided within the supportive letter.

The Officer then advised that the Committee had adopted Age Policy Guidelines in respect of the age of vehicles at first licensing and that the Age Policy Guidelines had been in operation for a number of years having last been revised on 5th November, 2013 when the class of vehicle to which the Policy applied was simplified. Class 1 required that a vehicle must be less than 5 years old to have a licence granted however the first date of registration for the vehicle in question was 2nd September, 2013 making it 5 years and 7 months old at the time of the application and that the V5 Registration Certificate demonstrated that Vale Rentals Ltd. acquired the vehicle on 21st February, 2019.

As a supplementary point, the Officer added that the application before Members was the first application for a licence on the relevant vehicle.

No.

In conclusion, the Officer advised that if Members were minded to approve the waiver of Age Policy Guidelines in respect of the vehicle, the vehicle must be presented for testing at the Alps Depot. Therefore, a licence would only be issued from the date the vehicle received a satisfactory pass certificate.

Following the Licensing Officer confirming that a representative from Vale Rentals Ltd. would not be present at the meeting the Members moved recommendations.

RESOLVED - T H A T the request to waive the Vale of Glamorgan Council's Age Policy Guidelines in respect of the Hackney Carriage Vehicle Licence Application for a VW SHARAN MPV Diesel YK63 KCC be granted having had regard to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976.

Reason for decision

The Committee had regard to the facts presented by the Officer and the guidelines in the Council's Age Policy.

934 EXCLUSION OF PRESS AND PUBLIC -

RESOLVED - T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

935 GRANT OF DRIVER LICENCES - A (DEH) (EXEMPT INFORMATION - PARAGRAPH 12, 13 AND 14) -

The Committee was requested to determine whether A. was a fit and proper person to hold a Vale of Glamorgan Council Hackney Carriage and Private Hire Vehicle Driver Licence. A. was present in support of the application and was accompanied by legal representation.

RESOLVED - T H A T it was the Committee's determination that, having considered the evidence presented and the Vale of Glamorgan Taxi and Private Hire Licensing Policy, the Committee was not satisfied that A. was a fit and proper person to hold a licence with the Vale of Glamorgan Council.

Reason for decision

The Committee having considered the test as set out at paragraph 4.3 of the Licensing Officer's report were not satisfied that the answer to the question would be an unqualified yes.

Further, the Committee had not been persuaded that it should dis-apply the Council's policy as referred to at paragraph 2.1 of the same report.

No.

936 GRANT OF DRIVER LICENCES - H (DEH) (EXEMPT INFORMATION - PARAGRAPHS 12, 13 AND 14) -

The Committee was requested to determine whether H. was a fit and proper person to hold a Vale of Glamorgan Council Hackney Carriage and Private Hire Vehicle Driver Licence. H. and their Representative was present in support of the application.

RESOLVED - T H A T it was the Committee's determination that having considered the evidence presented and the Vale of Glamorgan Taxi and Private Hire Licencing Policy, the Committee was satisfied that H. was deemed a fit and proper person to continue the licence application process.

Reason for decision

The Committee had regard to the facts presented by the Licensing Officer, the evidence presented by the Applicant and their Representative as well as the guidelines and the Council's policy on fitness criteria for drivers and operators and consideration of H.'s historical offences and the passage of time since their last offence.

937 GRANT OF DRIVER LICENCES - K (DEH) (EXEMPT INFORMATION - PARAGRAPHS 12, 13, AND 14) -

The Committee was requested to determine whether K. was a fit and proper person to hold a Vale of Glamorgan Council Hackney Carriage and Private Hire Vehicle Driver Licence. K. was present in support of the application.

RESOLVED - T H A T it was the Committee's determination that, having considered the evidence presented and the Vale of Glamorgan Taxi and Private Hire Licensing Policy, the Committee was not satisfied that K. was a fit and proper person to hold a Hackney Carriage and Private Hire Vehicle Driver Licence in the Vale of Glamorgan.

Reason for decision

The Committee, having applied the tests as set out at paragraph 4.3 and 2.1 of the Officer's report were not satisfied.

K. had a lengthy criminal record and in accordance with the Council's Policy on the treatment of offences, K. had not been free of a conviction related to drugs for a period of 5 years and had repeatedly offended in the past 10 year period.