

No.

PUBLIC PROTECTION LICENSING COMMITTEE

Minutes of a Remote meeting held on 18th May, 2021.

The Committee agenda is available [here](#).

Present: Councillor J.W. Thomas (Chairman); Councillor Mrs. P. Drake (Vice-Chairman); Councillors Ms. J. Aviet, R. Crowley, O. Griffiths, K.F. McCaffer, Mrs. J.M. Norman, Mrs. R. Nugent-Finn and Mrs. M.R. Wilkinson.

34 APOLOGY FOR ABSENCE –

This was received from Councillor Mrs. A. Moore.

35 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 27th April, 2021 be approved as a correct record.

36 DECLARATIONS OF INTEREST –

No declarations were received.

37 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 item of business on the grounds that it involves 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.

38 DISCIPLINARY FOR EXISTING VEHICLE PROPRIETOR - VALE RENTALS LTD (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

Committee was asked to consider the actions of Vale Rentals Ltd in relation to the Vale of Glamorgan's Conditions for Hackney Carriage and Private Hire Vehicles with reference to the adopted Guidance on Determining the Suitability of Applicants and Licensees in the Hackney and Private Hire Trades. The Director of Vale Rentals Ltd was present in support of the application, and the Chairman advised of the procedure that would be followed during the disciplinary hearing.

The Licensing Officer summarized the report which provided detail in respect of a number of historical failures of vehicles presented for testing, non-compliance with conditions of licenses and concerns regarding the apparent lack of improvement in compliance following previous sanctions issued by Licensing Officers and the Public

No.

Protection Licensing Committee. Evidence regarding these events were appended to the report. The Director had submitted a blank copy of Vale Rental Ltd's Hire Agreement pro-forma for Committee's consideration, and this had been circulated to Members ahead of the meeting as supplementary information to the report.

Following the Officer's presentation of the report, the Chairman invited the Director of Vale Rentals Ltd to address Committee in order to make a verbal representation regarding the events described in the report and to address any matters of clarification raised by the Officer in response to his representation.

Members of the Committee subsequently questioned the Director in relation to the contents of his representation and the report, and sought clarity on a number of current and historical matters. Following this, the Director, the Licensing Team Manager and the Senior Licensing Enforcement Officer disconnected from and vacated the meeting, and the Committee deliberated the matter in private.

Following Committee's deliberations, all parties reconnected to the meeting in order to be advised of the Committee's decision.

Committee, having considered the report and all the issues and implications contained therein,

RESOLVED – T H A T Vale Rental Ltd's Hackney Carriage and Private Hire Vehicle proprietor licences be revoked with immediate effect.

Reason for decision

Committee considered that Vale Rentals Ltd had not accepted responsibility regarding a number of historical matters, and that the public would continue to be at risk of harm should the Hackney Carriage and Private Hire Vehicle proprietor licenses be retained.

Committee considered that Vale Rentals Ltd had not taken heed of numerous previous interventions by Licensing Officers or final written warnings issued by the same Committee previously.

Committee were not satisfied that, when questioned, Vale Rentals Ltd gave credible explanations for matters that were addressed directly to them:

- A blank template was provided showing the terms of the vehicle hire agreement and an instruction to the hirer to bring the vehicle in for regular checking by Vale Rentals Ltd. Vale Rentals Ltd were unable to demonstrate that these checks were being carried out as some of the vehicles subsequently failed with serious faults. They were also unable to demonstrate that there were systems in place to ensure that the hirer brought the vehicle in for pre-testing as required by the hiring agreement.

No.

- Vale Rentals Ltd were unable to provide a satisfactory explanation for why they retained the livery, plates and door signs on PH154 or lent the vehicle to a third party with the full livery in place when they knew the vehicle was unlicensed.
- Vale Rentals Ltd confirmed that they had not contacted or sought advice from the Licensing Section about re-plating PH154 or their alleged difficulties during the pandemic.
- Vale Rentals Ltd confirmed they had received previous warnings from the Committee but was unable to demonstrate how they would ensure compliance in future with licensing conditions.

The Chairman advised that Vale Rentals Ltd had the right of appeal against the decision of the Committee to the Magistrate's Court, in writing, within 21 days receipt of the decision having been made.