

# LICENSING PANEL

Friday, 8 June 2012

Present: Councillor WJ Davies (Chair)

Councillors P Glasman C Povall  
S Niblock P Williams  
J Salter

Apologies: Councillor L Fraser

## 1 APPOINTMENT OF CHAIR

**Resolved - That Councillor W J Davies be appointed Chair for this meeting.**

## 2 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were invited to consider whether they had any personal or prejudicial interests in connection with any of the items on the agenda and if so, to declare them and state what they were.

Councillor W J Davies declared a personal and prejudicial interest in respect item 5 - Overage Vehicle - Citroen C5, Registration Number WP53 AWR by virtue of being acquainted with the applicant.

## 3 OVERAGE VEHICLE - VAUXHALL ASTRA, REGISTRATION NUMBER EJ53 PKU

The Director of Law, HR and Asset Management reported upon an application received to re-licence a Vauxhall Astra, registration number EJ53 PKU, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had already been re-licensed for a further six months on 20 November 2011. It had been licensed as a private hire vehicle since 19 May 2010 and had passed the compliance test necessary for a licence to be issued.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

**Resolved - That the application to re-licence a Vauxhall Astra, registration number EJ53 PKU, be granted for a further six months.**

## 4 OVERAGE VEHICLE - VAUXHALL ASTRA, REGISTRATION NUMBER DE52 HNK

The Director of Law, HR and Asset Management reported upon an application received to re-licence a Vauxhall Astra, registration number DE52 HNK, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had already been re-licensed for a further six months on 11 November 2010 and upon expiry of that licence on 14 May 2011 was granted a further six months by the Licensing Panel to 14 November 2011 subject to specified works being carried out and a satisfactory

inspection by the Licensing Team Leader. It had been licensed as a private hire vehicle since 11 November 2002 and had passed the compliance test necessary for a licence to be issued.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

**Resolved** - That the application to re-licence a Vauxhall Astra, registration number DE52 HNK, be granted for a further six months.

**5 OVERAGE VEHICLE - CITROEN C5, REGISTRATION NUMBER WP53 AWR**

Councillor W J Davies declared a personal and prejudicial interest in this matter and left the room during its consideration (see minute 2 ante).

Councillor J Salter in the Chair.

The Director of Law, HR and Asset Management reported upon an application received to re-licence a Citroen C5, registration number WP53 AWR, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had already been re-licensed for a further six months on 14 November 2011. It had been licensed as a private hire vehicle since 27 February 2007 and had passed the compliance test necessary for a licence to be issued.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

**Resolved** -

**(1) That the application to re-licence a Citroen C5, registration number WP53 AWR, be granted for a further six months.**

**(2) That a Conditions Notice be issued stating that the additional brake light displayed at the rear of the vehicle be in working order within 30 days.**

**6 OVERAGE VEHICLE - VAUXHALL ASTRA, REGISTRATION NUMBER SM53 EXW**

The Director of Law, HR and Asset Management reported upon an application received to re-licence a Vauxhall Astra, registration number SM53 EXW, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had already been re-licensed for a further six months on 16 December 2011. It had been licensed as a private hire vehicle since 17 June 2011 and had passed the compliance test necessary for a licence to be issued.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

**Resolved** - That the application to re-licence a Vauxhall Astra, registration number SM53 EXW, be granted for a further six months.

7 **OVERAGE VEHICLE - FORD GALAXY, REGISTRATION NUMBER OV03 NNE**

The Director of Law, HR and Asset Management reported upon an application received to re-licence a Ford Galaxy, registration number OV03 NNE, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had already been re-licensed for a further six months on 20 May 2011 and upon expiry of that licence on 20 November 2011 a further six months was granted by the Licensing Panel. It had been licensed as a private hire vehicle since 2 August 2007 and had passed the compliance test necessary for a licence to be issued.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

**Resolved - That the application to re-licence a Ford Galaxy, registration number OV03 NNE, be granted for a further six months subject to a satisfactory inspection of the seat covers by the Licensing Officer.**

8 **OVERAGE VEHICLE - FORD GALAXY, REGISTRATION NUMBER Y634 UEN**

The Director of Law, HR and Asset Management reported upon an application received to re-licence a Ford Galaxy, registration number Y634 UEN, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had already been re-licensed for a further six months on 20 April 2009 and subsequently at Licensing Panels on 19 October 2009, 18 May 2010, 9 December 2010, 9 June 2011 and 9 December 2011. It had been licensed as a private hire vehicle since 4 June 2004 and had passed the compliance test necessary for a licence to be issued.

The vehicle had been inspected by licensing officers and a number of defects noted. A copy of the conditions notice outlining the defects was attached to the report.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

The Enforcement Officer advised that subsequent to issuing the Conditions Notice and a further inspection of the vehicle, a number of defects on the vehicle had been identified and a further Conditions Notice had been issued.

Councillor J Salter took no part in the decision on this application further to giving advice to the applicant regarding the works carried out on the vehicle.

**Resolved -**

**(1) That the application to re-licence a Ford Galaxy, registration number Y634 UEN, be granted for a further six months.**

**(2) That a Conditions Notice be issued stating that the works identified must be completed within 14 days to the satisfaction of the Licensing Officer.**

**Councillor P Glasman in attendance**

9 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved** - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

10 **PRIVATE HIRE DRIVER LICENCE -CONVICTION RECEIVED (MDS)**

The Director of Law, HR and Asset Management reported on an application received by Mr MDS to consider whether he should continue to hold a Private Hire Driver's Licence. Mr MDS attended the meeting together with his legal representative and made representations in respect of his application.

Members gave due consideration to the representations made by Mr Nelson on behalf of MR MDS.

Members also took into consideration the various references provided in support of Mr S's character. Members gave serious consideration to the nature of the conviction and the implications involved with public safety which is their paramount concern.

Members had regard to the Licensing Policy but decided on this occasion to depart from it due to the exceptional circumstances put forward.

**Resolved** -

- (1) That the current Suspension Notice issued against Mr MDS be lifted.
- (2) That Mr S be allowed to continue to hold a Private Hire Driver's Licence.
- (3) That Mr S be issued with a formal written warning regarding his future behaviour.

**Councillor C Povall left the meeting**

11 **PRIVATE HIRE DRIVER LICENCE - CONVICTION RECEIVED (GRA)**

The Director of Law, HR and Asset Management reported on an application received by Mr GRA to consider whether he should continue to hold a Private Hire Driver's Licence.

Mr GRA was unable to attend the meeting and had submitted written representations.

Members gave due consideration to Mr GRA's written representations.

Members considered that Mr GRA had been given reasonable opportunity to attend the Licensing Panel and considered the late notice of your inability to attend on both occasions and therefore resolved to consider the matter in his absence. Members considered the fact that Mr GRA had failed to complete the training requirement by

14 May 2012 and that he had received a caution for making a false representation. Members also had regard to their Policy for the licensing of Hackney Carriage and Private Hire Drivers.

**Resolved - That Mr GRA no longer be allowed to continue to hold a Private Hire Driver's Licence.**

12 **PRIVATE HIRE DRIVER LICENCE - APPLICATION TO RENEW (JB)**

The Director of Law, HR and Asset Management reported upon an application received by Mr JB to renew his Private Hire Driver's Licence. Mr JB attended the meeting and made representations in respect of his application to renew his Private Hire Driver's Licence.

**Resolved - That Mr JB's application to renew his Private Hire Driver's Licence be granted.**

13 **PRIVATE HIRE DRIVER LICENCE - CONVICTION RECEIVED (JDB)**

The Director of Law, HR and Asset Management reported on an application received by Mr JDB to consider whether he should continue to hold a Private Hire Driver's Licence. Mr JDB attended the meeting and made representations in respect of his application.

Members gave due consideration to Mr JDB's representations.

**Resolved - That the current Suspension Notice be lifted subject to a satisfactory medical report detailing the outcome of Mr JDB's referral to a psychiatrist being received and considered by the Licensing Officer.**

14 **PRIVATE HIRE DRIVER LICENCE - CONVICTION RECEIVED (AK)**

The Director of Law, HR and Asset Management reported on an application received by Mr AK to consider whether he should continue to hold a Private Hire Driver's Licence. Mr AK attended the meeting and made representations in respect of his application.

Members gave due consideration to Mr AK's representations.

**Resolved - That Mr AK be allowed to continue to hold a Private Hire Driver's Licence.**

15 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (WPMCC)**

The Director of Law, HR and Asset Management reported upon an application received by Mr WPMcC for the grant of a Private Hire Driver's Licence.

Mr WPMcC did not attend the meeting.

**Resolved - That Mr WPMcC be instructed to attend a future meeting of the Licensing Panel should he wish to pursue his application for the grant of a Private Hire Driver's Licence.**

16 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (DJJ)**

The Director of Law, HR and Asset Management reported upon an application received by Mr DJJ for the grant of a Private Hire Driver's Licence.

Mr DJJ did not attend the meeting.

**Resolved** - That Mr DJJ be instructed to attend a future meeting of the Licensing Panel should he wish to pursue his application for the grant of a Private Hire Driver's Licence.

17 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (JGMCM)**

The Director of Law, HR and Asset Management reported upon an application received by Mr JGMcM for the grant of a Private Hire Driver's Licence. Mr JGMcM attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

The Chair advised Mr JGMcM that any incident, caution or conviction must be reported to the Licensing Office.

**Resolved** - That Mr JGMcM's application for the grant of a Private Hire Driver's Licence be approved.

18 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (JJP)**

The Director of Law, HR and Asset Management reported upon an application received by Mr JJP for the grant of a Private Hire Driver's Licence. Mr JJP attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

The Chair advised Mr JJP that any incident, caution or conviction must be reported to the Licensing Office.

**Resolved** - That Mr JJP's application for the grant of a Private Hire Driver's Licence be approved.

19 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (GPW)**

The Director of Law, HR and Asset Management reported upon an application received by Mr GPW for the grant of a Private Hire Driver's Licence. Mr GPW attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

The Chair advised Mr GPW that any incident, caution or conviction must be reported to the Licensing Office.

**Resolved** - That Mr GPW's application for the grant of a Private Hire Driver's Licence be approved.

20 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (BLMCL)**

The Director of Law, HR and Asset Management reported upon an application received by Mr BLMcL for the grant of a Private Hire Driver's Licence. Mr BLMcL attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

The Chair advised Mr BLMcL that any incident, caution or conviction must be reported to the Licensing Office.

**Resolved - That Mr BLMcL's application for the grant of a Private Hire Driver's Licence be approved.**

21 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (LJW)**

The Director of Law, HR and Asset Management reported upon an application received by Mr LJW for the grant of a Private Hire Driver's Licence. Mr LJW attended the meeting and made representations in respect of his application for a Private Hire Driver's Licence.

The Chair advised Mr LJW that any incident, caution or conviction must be reported to the Licensing Office.

**Resolved - That Mr LJW's application for the grant of a Private Hire Driver's Licence be approved.**