



Licensing Panel

Date:	Friday, 14 February 2014
Time:	9.45 am
Venue:	Committee Room 3 - Wallasey Town Hall

Contact Officer: Anne Beauchamp
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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee are asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

2. HACKNEY CARRIAGE PROPRIETOR LICENCE ALLOCATION POLICY - RANDOM SELECTION PROCESS (Pages 1 - 6)

3. PRIVATE HIRE VEHICLE LICENCE - MERCEDES VITO - APPLICATION TO LICENSE TWO FRONT SEAT PASSENGERS (Pages 7 - 10)

4. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR - PART 1

To consider any other business that the Chair accepts as being urgent.

5. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

The following items contain exempt information.

RECOMMENDATION: 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 has been applied and favours exclusion.

6. **PRIVATE HIRE DRIVER LICENCE - APPLICATION (LMG) (Pages 11 - 14)**
7. **PRIVATE HIRE DRIVER LICENCE - CONVICTION (DG) (Pages 15 - 18)**
8. **PRIVATE HIRE DRIVER LICENCE - APPLICATION (NCH) (Pages 19 - 22)**
9. **PRIVATE HIRE DRIVER LICENCE - APPLICATION (SGJ) (Pages 23 - 28)**
10. **HACKNEY CARRIAGE DRIVER LICENCE - APPLICATION (ALJ) (Pages 29 - 32)**
11. **PRIVATE HIRE DRIVER LICENCE - APPLICATION (RJO) (Pages 33 - 36)**
12. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR - PART 2**

To consider any other business that the Chair accepts as being urgent.

WIRRAL COUNCIL

LICENSING PANEL

14 FEBRUARY 2014

SUBJECT:	HACKNEY CARRIAGE PROPRIETOR LICENCE ALLOCATION POLICY – RANDOM SELECTION PROCESS
WARD/S AFFECTED:	ALL
REPORT OF:	STRATEGIC DIRECTOR OF REGENERATION AND ENVIRONMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is for Members to undertake the random selection process for the allocation of one available Hackney Carriage Vehicle Licence.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 At a meeting of the Licensing Health and Safety and General Purposes Committee on 23 January 2012 Members resolved to impose a limit of 289 on the number of Hackney Carriage Proprietor Licences issued.
- 2.2 Following a period of public consultation Members of the Licensing Health and Safety and General Purposes Committee resolved at their meeting on 25 September 2012 that a random selection process be approved for the allocation of available licences. The adopted procedure is attached at Appendix 1.
- 2.3 Members also resolved that the random selection process will be made using a computer programme at appropriate future meetings of the Licensing Panel.
- 2.4 In January 2013 the availability of four Hackney Carriage Proprietor Licences was advertised and letters sent to all Hackney Carriage and Private Hire drivers, vehicle proprietors and operators, as required in the adopted procedure. The closing date for applications was 6 February 2013. Sixteen applications were received.
- 2.5 In accordance with the procedure approved by the Licensing Health and Safety and General Purposes Committee random selection processes took place on 1 March 2013, 12 April 2013, 14 June 2013, 13 September 2013 and 15 November 2013 to allocate these licences.
- 2.6 The outcome of these processes is that one licence remains available.
- 2.7 A further Random Selection Process must now take place to choose one further applicant from the three remaining applications
- 2.8 Members are asked to run the computer programme which will randomly select one number between 1 and 3. The application that has been allocated the number

selected will be the successful application. Applicants have been advised that the random selection process will take place at the meeting and may attend. The applicant who is successful through this selection process will be contacted and will be required to present a vehicle which complies with the criteria for the granting of a Hackney Carriage Vehicle Licence, within 28 days.

- 2.9 If the applicant is unable to present a vehicle within the 28 days, a further random selection process will take place at a future Licensing Panel meeting for the remaining application. This process will be repeated until the licence has been issued.

3.0 RELEVANT RISKS

- 3.1 There are none arising directly from this report.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 There is no provision for other options to be considered.

5.0 CONSULTATION

- 5.1 This is not a matter which requires consultation.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 There are no specific implications arising from this report.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 There are no specific implications arising from this report.

8.0 LEGAL IMPLICATIONS

- 8.1 A decision of this Panel can be subject to appeal.

9.0 EQUALITIES IMPLICATIONS

- 9.1 Has the potential impact of the proposal been reviewed with regard to equality?
- 9.2 An EIA was completed in respect of the adoption of the random selection process.

10.0 CARBON REDUCTION IMPLICATIONS

- 10.1 There are no specific carbon reduction implications arising from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are no specific Community Safety implications arising out of this report.

12.0 RECOMMENDATION

12.1 That the Panel allocate the available Hackney Carriage Vehicle Proprietor Licence using the random number generator computer programme.

13.0 REASON FOR RECOMMENDATION

13.1 It is a delegated function of this Panel to grant Hackney Carriage Vehicle Proprietor Licences using the random selection process.

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REFERENCE MATERIAL

Licensing Health and Safety and General Purposes Committee Report and minutes dated 7 November 2012.

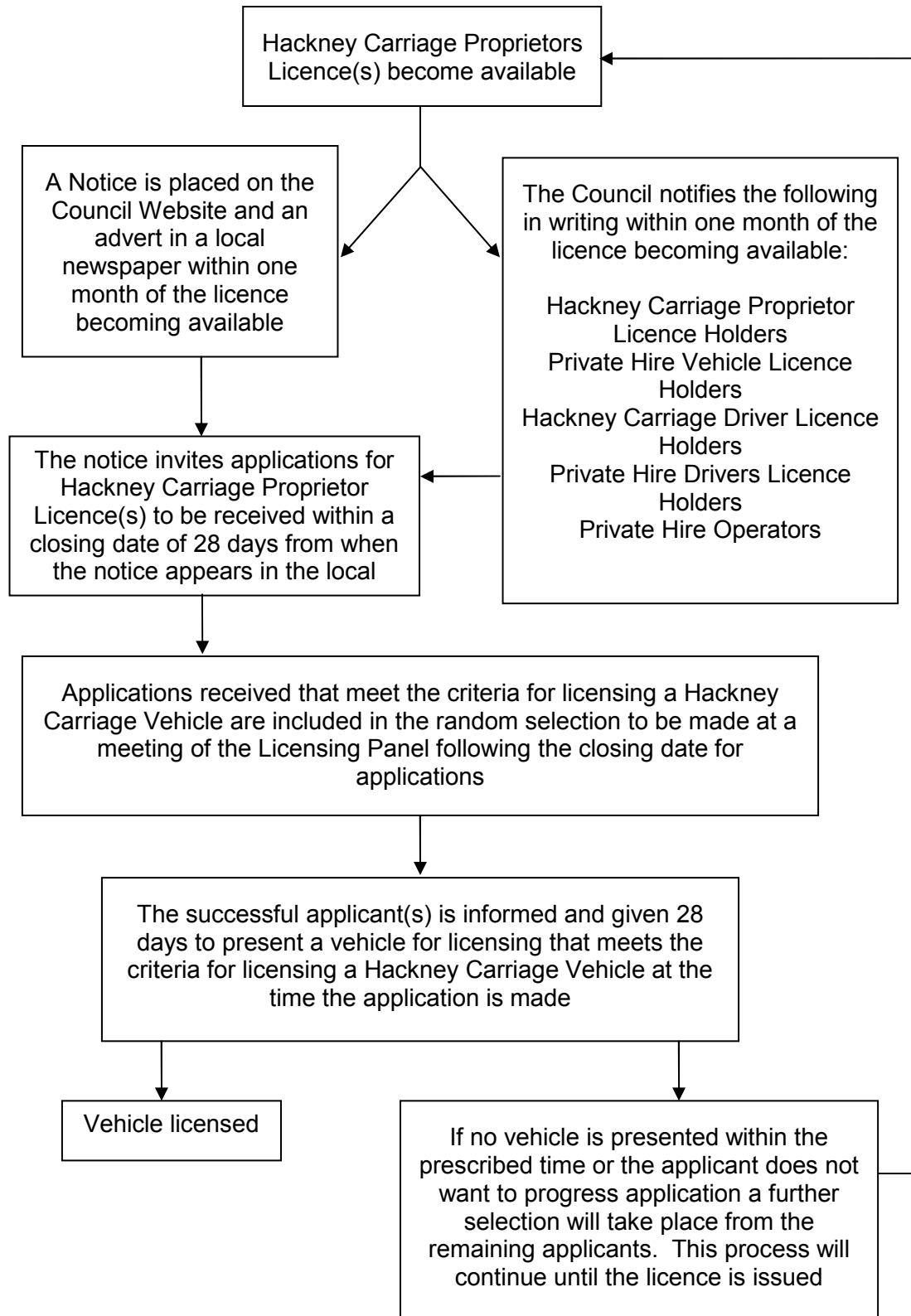
Licensing Panel reports and minutes dated 1 March 2013, 12 April 2013, 14 June 2013, 13 September 2013 and 15 November 2013.

Random Section Procedure for the Allocation of Hackney Carriage Proprietor Licences

- Hackney Carriage Proprietor Licence(s) become available
- The Council notifies the following in writing within one month of the licence becoming available:

Hackney Carriage Proprietor Licence Holders
Private Hire Vehicle Licence Holders
Hackney Carriage Driver Licence Holders
Private Hire Drivers Licence Holders
Private Hire Operators
- A Notice is placed on the Council Website and an advert is placed in a local newspaper within one month of the licence becoming available.
- The notice invites applications for Hackney Carriage Proprietor Licence(s) to be received within a closing date of 28 days from when the notice appears in the local newspaper.
- Applications received that meet the criteria for Licensing a Hackney Carriage Vehicle are included in the random selection to be made at a meeting of the Licensing Panel following the closing date for applications.
- The successful applicant(s) is informed and given 28 days to present a vehicle for licensing that meets the criteria for licensing a Hackney Carriage Vehicle at the time the application is made.
- **Outcome:**
 - 1) Vehicle licensed
 - 2) If no vehicle is presented within the prescribed time or the applicant does not want to progress the application a further selection will take place from the remaining applicants. This process will continue until the licence is issued.

Random Section Procedure for the Allocation of Hackney Carriage Proprietor Licences



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WIRRAL COUNCIL

LICENSING PANEL

14 FEBRUARY 2014

SUBJECT:	PRIVATE HIRE VEHICLE LICENCE – MERCEDES VITO – APPLICATION TO LICENSE TWO FRONT SEAT PASSENGERS
WARD/S AFFECTED:	ALL
REPORT OF:	STRATEGIC DIRECTOR OF REGENERATION AND ENVIRONMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application to license a Mercedes Vito as a private hire vehicle to carry eight passengers, two passengers being carried in the front.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Council policy, which is reflected in the Private Hire Vehicle Licence Conditions, allows non-standard vehicles (ie MPV's, people carriers) to be licensed as private hire vehicles subject to the standard Private Hire Vehicle Licence Conditions and the following additional conditions:-
- (1) There must only be the number of passengers seats fitted in the vehicle for which the vehicle is licensed.
 - (2) Two fire extinguishers must be kept in the vehicle, one to be in the front and the other in the rear.
 - (3) Vehicles to be fitted (in addition to the front drivers and passengers doors) with at least two side/rear opening doors and all doors must be easily accessible to all passengers and capable of being opened from inside.
 - (4) A step (which must be approved by the Council) must be available for use at all times.
 - (5) A sign on the rear of the seats in the vehicle must be displayed indicating there is a step available for use and indicating exit doors.
 - (6) Seat belts shall be provided for every passenger the vehicle is licensed by this Council to carry.
- 2.2 The standard private hire vehicle conditions specify that the proprietor shall only allow one person to be carried in the front of the vehicle apart from the driver.

- 2.3 Members have previously considered applications to license a Volkswagen Caravelle, a Volkswagen Transporter, a Ford Tourneo and a Renault Trafic to carry two front seat passengers. These applications were granted by the Licensing Health and Safety and General Purposes Committee.
- 2.4 Members have also previously considered two applications to license a Mercedes Vito to carry two front seat passengers. These applications were refused.
- 2.5 In determining previous applications Members considered the following:
- Whether there was sufficient space for two adult passengers to sit comfortably and safely in the front of the vehicle
 - Access to passenger seatbelts
 - Whether passengers could exit the vehicle safely in an emergency
 - The position of the gearstick/handbrake, and the effect this would have on the comfort of the middle passenger.
- 2.6 A vehicle will be available for inspection at the meeting. Members should note that the specification of the vehicle has changed since the original applications in 2001.

3.0 RELEVANT RISKS

- 3.1 There are none arising directly from this report.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 There is no provision for other options to be considered.

5.0 CONSULTATION

- 5.1 This is not a matter which requires consultation.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 There are no specific implications arising from this report.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 There are no specific implications arising from this report.

8.0 LEGAL IMPLICATIONS

8.1 A decision of this Panel can be subject to appeal.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of the proposal been reviewed with regard to equality?

9.2 No because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no specific carbon reduction implications arising from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are community safety implications arising out of this report due to the safety aspects of private hire vehicles.

12.0 RECOMMENDATION

12.1 That the Panel consider whether or not to license a Mercedes Vito to carry eight passengers, two passengers being carried in the front.

13.0 REASON FOR RECOMMENDATION

13.1 It is a delegated function of this Panel to determine applications for Private Hire Vehicle Licences in circumstances when an officer does not have such delegated powers.

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