

LICENSING PANEL

Friday, 10 March 2017

Present: Councillor WJ Davies (Chair)
Councillors D Burgess-Joyce
P Stuart
A Hodson

82 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were 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.

No such declarations were made.

83 PRIVATE HIRE VEHICLE LICENCE - MERCEDES V250D

The Managing Director for Delivery reported on an application received to exempt a Mercedes V250D, registration number WG66 TKU from displaying Private Hire Vehicle Licence plates and to exempt the drivers of the vehicle from wearing a Private Hire Driver Badge.

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

Members considered the representations made.

Members requested that it be stated on the business website that the vehicle is licensed by Wirral Borough Council.

Resolved –

- (1) **That the proprietor of the Mercedes V250D, registration number WG66 TKU be provided with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicle and to exempt the drivers from the requirement to wear a Private Hire Driver Badge.**
- (2) **That it be specified in the notice that this exemption applies only to corporate business use.**

84 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD FOCUS**

The Managing Director for Delivery reported on an application received to re-licence a Ford Focus, registration number MK07 AZP, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been licensed as a private hire vehicle since 7 March 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.

Members considered the representations made and decided to act outside of their Policy on this occasion due to the condition of the vehicle.

Resolved – That the application to re-licence the Ford Focus, registration number MK07 AZP be granted for a further six months subject to a satisfactory inspection of the vehicle being undertaken by a licensing officer to ensure that:

- the front seat covers have been removed;
- repair to the vehicle livery has been undertaken.

85 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO**

The Managing Director for Delivery reported on an application received to re-licence a Ford Mondeo, registration number NX07 XJE, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been licensed as a private hire vehicle since 9 April 2008 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.

Members considered the representations made and decided to act outside of their Policy on this occasion due to the condition of the vehicle.

Resolved – That the application to re-licence the Ford Mondeo, registration number NX07 XJE be granted for a further six months.

86 **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 paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

87 **PRIVATE HIRE DRIVER LICENCE (AA)**

The Managing Director for Delivery submitted a report for Members to consider whether Mr AA should continue to hold a Private Hire Driver Licence. Mr AA attended the meeting and made representations.

Members considered the representations made by Mr AA regarding the number and nature of his convictions.

In determining the matter Members also gave serious consideration to their overriding responsibility in respect of the protection and safety of the public. The Panel applied the principle of proportionality enshrined within the Human Rights Act 1998.

Resolved – That, in the interests of public safety, Mr AA’s Private Hire Driver Licence be revoked with immediate effect.

88 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES (PNAF)

The Managing Director for Delivery submitted a report for Members to consider whether Mr PNAF should continue to hold a Private Hire and a Hackney Carriage Driver Licence. Mr PNAF attended the meeting and made representations.

Members considered the representations made by Mr PNAF regarding his conviction.

Members gave due consideration to Mr PNAF’s representations and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That Mr PNAF be allowed to continue to hold a Private Hire and a Hackney Carriage Driver Licence.

Councillor A Hodson left the meeting during consideration of the following matter.

89 PRIVATE HIRE DRIVER LICENCE (CSF)

The Managing Director for Delivery submitted a report for Members to consider whether Mr CSF should continue to hold a Private Hire Driver Licence. Mr CSF attended the meeting and made representations.

Members considered the representations made by Mr CSF regarding his conviction.

Members gave due consideration to Mr CSF’s representations and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved –

- (1) That Mr CSF be allowed to continue to hold a Private Hire Driver Licence.**
- (2) That Mr CSF be issued with a written warning as to his future conduct.**

90 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (WG)**

The Managing Director for Delivery reported upon an application received by Mr WG for the grant of a Private Hire Driver Licence. Mr WG attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr WG regarding his convictions.

Members gave due consideration to Mr WG's representations and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That Mr WG's application for the grant of a Private Hire Driver Licence be approved.

91 **PRIVATE HIRE DRIVER LICENCE (MJH)**

The Managing Director for Delivery submitted a report for Members to consider whether Mr MJH should continue to hold a Private Hire Driver Licence. Mr MJH attended the meeting and made representations.

Members considered the representations made by Mr MJH regarding his convictions.

Members gave due consideration to Mr MJH's representations and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved (4:1) (Councillor P Stuart dissenting) - That Mr MJH be allowed to continue to hold a Private Hire Driver Licence.

92 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (JCV)**

The Managing Director for Delivery reported upon an application received by Mr JCV for the grant of a Private Hire Driver Licence. Mr JCV attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr MJH regarding his convictions.

Members gave due consideration to Mr JCV's representations and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved (4:1) (1 abstention) – That Mr JCV's application for the grant of a Private Hire Driver Licence be approved.