



Licensing Panel

Date: Thursday, 24 September 2009

Time: 10.00 am

Venue: Committee Room 3 - Wallasey Town Hall

Contact Officer: Anne Beauchamp

Tel: 0151 691 8492608

e-mail: annebeauchamp@wirral.gov.uk

Website: <http://www.wirral.gov.uk>

AGENDA

1. APPOINTMENT OF CHAIR

To appoint a Chair of the Panel.

2. DECLARATIONS OF INTEREST

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

3. OVER-AGE VEHICLE -PEUGEOT - Y513 MJH (Pages 1 - 6)

4. OVER - AGE VEHICLE - FORD MONDEO REGISTRATION - X415 BDF (Pages 7 - 12)

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.

6. PRIVATE HIRE DRIVER LICENCE - APPLICATION - ME (Pages 13 - 14)
7. PRIVATE HIRE DRIVER LICENCE - APPLICATION - GG (Pages 15 - 18)
8. PRIVATE HIRE DRIVER LICENCE - CAUTION INCURRED - NCH (Pages 19 - 20)
9. PRIVATE HIRE DRIVER LICENCE - CONVICTIONS INCURRED - JA (Pages 21 - 24)
10. PRIVATE HIRE DRIVER LICENCE - CONVICTIONS INCURRED - RDK (Pages 25 - 28)
11. HACKNEY CARRIAGE DRIVER LICENCE - CONVICTIONS INCURRED - DR (Pages 29 - 30)
12. HACKNEY CARRIAGE DRIVER LICENCE - CONVICTIONS INCURRED - AMW (Pages 31 - 34)
13. HOME SCHOOL CONTRACT PRIVATE HIRE DRIVER LICENCE - APPLICATION TO RENEW - SPH (Pages 35 - 38)
14. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR

WIRRAL COUNCIL

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE
LICENSING PANEL – 24 SEPTEMBER 2009

REPORT OF THE DIRECTOR OF REGENERATION

PRIVATE HIRE VEHICLE LICENCE - APPLICATION

1.0 EXECUTIVE SUMMARY

- 1.1 Members are asked to consider whether they are willing to re-license the following vehicle: a Peugeot registration number Y513 MJH, beyond the normal over-age date for a licensed private hire vehicle.

2.0 BACKGROUND

- 2.1 The current private hire vehicle licence conditions do not allow a vehicle to be licensed beyond the date eight years from the date of first registration, unless the Council is satisfied that the vehicle is suitable, having regard to mileage, appearance, condition and safety features. This condition relating to the age of the vehicle was imposed to improve the standard of vehicle being licensed for private hire.
- 2.2 Private hire vehicle licences are issued on a twelve monthly basis, however once a vehicle reaches six years old, six monthly licences are issued until the vehicle reaches eight years old.
- 2.3 Once a vehicle reaches eight years old, if the proprietor considers it to be in exceptional condition an application can be made to re-license the vehicle for a further six months. That licence can be issued under delegated authority, subject to the vehicle being inspected by officers and being considered to be suitable as in paragraph 2.1 above. Any further application cannot be granted under delegated authority and must be referred to the Licensing Panel.

3.0 APPLICATION

- 3.1 The proprietor of the vehicle, Mr Charlton has applied to re-license the vehicle as he considers it to be in exceptional condition.
- 3.2 The vehicle has been licensed as a private hire vehicle since 11 March 2008 and the current licence expires on 19 September 2009.
- 3.3 The date of first registration of this vehicle is 30 May 2001.
- 3.4 On expiry of the previous licence on 19 March 2009, an application was made for a further six month licence, thereby extending it beyond the vehicle's eighth birthday and after inspection and a satisfactory compliance test at Walsh Autos, the Council's authorised testing station, the licence was granted under delegated powers.
- 3.5 The vehicle has been examined at Walsh Autos and the pass slip is attached to this report.

4.0 FINANCIAL & STAFFING IMPLICATIONS

4.1 There are no financial or staffing implications arising out of this report.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are no equal opportunities implications arising out of this report.

6.0 HUMAN RIGHTS IMPLICATIONS

6.1 The following are of relevance:

Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest.

Article 6 - the right to a fair hearing

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 There are no Local Agenda 21 implications arising out of this report.

8.0 LOCAL MEMBER SUPPORT IMPLICATIONS

8.1 This report affects the entire Borough.

9.0 COMMUNITY SAFETY IMPLICATIONS

9.1 There are community safety implications arising out of this report as members are being asked to consider whether the vehicle is suitable to continue to be licensed as a private hire vehicle having regard to its mileage, appearance, condition and safety features.

10.0 PLANNING IMPLICATIONS

10.1 There are no planning implications arising out of this report.

11.0 BACKGROUND PAPERS

11.1 The application form submitted by Mr Charlton applying for the renewal of his Private Hire Vehicle Licence.

12.0 RECOMMENDATION

12.1 Members are asked to consider whether or not to re-license this vehicle for a further period of six months.

Alan Stennard
Director of Regeneration

This report was prepared by Margaret Calvert who can be contacted on 0151 691 8476.

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WALSH AUTO ENGINEERING LTD.

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6 MTH

164-190 Cleveland Street
Birkenhead, Merseyside
CH41 3QQ
Tel: 0151-647 5131
Fax: 0151-666 2631

MOT REPORT

Test Centre No. 43339

| | | | | | | | | | |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----|--------|---------|-------------|-------------|
| Reg. No. Y513 MJH | Make/Model Peugeot | cc | Year of Manufacture 2000 | Class of Vehicle PH III IV VII <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | | | | | |
| VIN or Chassis VF38ERHYF81324327 | | Recorded Mileage 126394 | Colour Red | | | | | | |
| ITEMS TESTED | Cars/LGV | Pass | Fail | Result of Inspection: Items marked * advisory only | | | | | |
| Lighting Equipment | | | | PLEASE PRODUCE THIS FORM IF A RE-TEST IS REQUIRED | | | | | |
| Front & Rear Lamps | 1/1 | | | No: 43339 ALF WALSH AUTO ENGR LTD CLEVELAND ST./POOL ST. BIRKENHEAD Tel: 0151 666 6625 | | | | | |
| Headlamps | 1/2 | | | | | | | | |
| Headlamp Aim | 1/6 | | | | | | | | |
| Stop Lamps | 1/3 | | | | | | | | |
| Rear Reflectors | 1/4 | | | | | | | | |
| Direction Indicators | 1/5 | | | | | | | | |
| Steering & Suspension | | | | | | | | | |
| Steering Control | II/1 | | | W.B.C. VEHICLE PASS PH AS | | | | | |
| Steering Mechanism/system | II/2 | | | | | | | | |
| Power Steering | II/3 | | | | | | | | |
| Transmission Shafts | II/2,4,8 | | | | | | | | |
| Wheel Bearings | II/4 | | | | | | | | |
| Front Suspension | II/5-9 | | | | | | | | |
| Rear Suspension | II/9 | | | | | | | | |
| Shock Absorbers | II/10 | | | | | | | | |
| Wheel Alignment | N/A | | | | | | | | |
| Brakes | | | | | | | | | |
| Controls | III/1,3 | | | W.B.C. VEHICLE PASS PH AS | | | | | |
| Condition of Service Brake System | III/3,4 | | | | | | | | |
| Condition of Parking Brake System | III/1,2 | | | | | | | | |
| Service Brake Performance | III/5,8 | | | | | | | | |
| Parking Brake Performance | III/5,8 | | | | | | | | |
| Tyres & Wheels | | | | | | | | | |
| Tyre Type | IV/1 | | | W.B.C. VEHICLE PASS PH AS | | | | | |
| Tyre Load/Speed Rating (Class VII) | | | | | | | | | |
| Tyre Condition | IV/1 | | | | | | | | |
| Road Wheels | IV/2 | | | | | | | | |
| Seat Belts | | | | | | | | | |
| Mountings | V/1 | | | | | | | | |
| Condition | V/1 | | | | | | | | |
| Operation | V/1 | | | | | | | | |
| Vehicle Weight | | | | N/S | O/S | Totals | Balance | Requirement | % Efficient |
| Brake Efficiency | Front Brakes | | | 462 | 521 | | | | |
| | Rear Brakes | | | 139 | 149 | | | | |
| | Hand Brake | | | 219 | 264 | | | | |
| General | | | | | | | | | |
| Windscreen Wipers & Washers | VI/1,2 | | | | | | | | |
| Horn | VI/4 | | | | | | | | |
| Exhaust System | VI/3 | | | | | | | | |
| Registration No./VIN No. | | | | | | | | | |
| Vehicle Structure | VI/5 | | | | | | | | |
| View of Road | | | | | | | | | |
| Petrol Exhaust Emissions | I certify that I have read and understood the above defects and advised items, which are or may become defective before the next MOT or service is due. | | | Customer's name JOHN CHARLTON | | | | | |
| Reading | Pass | Fail | Customer's signature | Customer's address 46 MAGAZINE LANE, WALLASE WIRRAL CH45-1LU | | | | | |
| CO | | | | Date of test | | | | | |
| HC | | | | | | | | | |
| Diesel Exhaust Emissions | Date of test | | | Tester's signature | | | | | |
| Reading | Pass | Fail | Tel. no. 0151-638-9120 | | | | | | |

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WIRRAL COUNCIL

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE
LICENSING PANEL – 24 SEPTEMBER 2009

REPORT OF THE DIRECTOR OF REGENERATION

PRIVATE HIRE VEHICLE LICENCE - APPLICATION

1.0 EXECUTIVE SUMMARY

- 1.1 Members are asked to consider whether they are willing to re-license the following vehicle: a Ford Mondeo, registration number X415 BDF, beyond the normal over-age date for a licensed private hire vehicle.

2.0 BACKGROUND

- 2.1 The current private hire vehicle licence conditions do not allow a vehicle to be licensed beyond the date eight years from the date of first registration, unless the Council is satisfied that the vehicle is suitable, having regard to mileage, appearance, condition and safety features. This condition relating to the age of the vehicle was imposed to improve the standard of vehicle being licensed for private hire.
- 2.2 Private hire vehicle licences are issued on a twelve monthly basis, however once a vehicle reaches six years old, six monthly licences are issued until the vehicle reaches eight years old.
- 2.3 Once a vehicle reaches eight years old, if the proprietor considers it to be in exceptional condition an application can be made to re-license the vehicle for a further six months. That licence can be issued under delegated authority, subject to the vehicle being inspected by officers and being considered to be suitable as in paragraph 2.1 above. Any further application cannot be granted under delegated authority and must be referred to the Licensing Panel.

3.0 APPLICATION

- 3.1 The proprietor of the vehicle, Mr Robinson has applied to re-license the vehicle as he considers it to be in exceptional condition.
- 3.2 The vehicle has been licensed as a private hire vehicle since 14 September 2005 and the current licence expires on 13 September 2009.
- 3.3 The date of first registration of this vehicle is 2 February 2001.
- 3.4 On expiry of the previous licence on 14 March 2009, an application was made for a further six month licence, thereby extending it beyond the vehicle's eighth birthday and after inspection and a satisfactory compliance test at Walsh Autos, the Council's authorised testing station, the licence was granted under delegated powers.
- 3.5 The vehicle has been examined at Walsh Autos and the pass slip is attached to this report.

4.0 FINANCIAL & STAFFING IMPLICATIONS

4.1 There are no financial or staffing implications arising out of this report.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are no equal opportunities implications arising out of this report.

6.0 HUMAN RIGHTS IMPLICATIONS

6.1 Article 6 and Article 1 of the First Protocol are of relevance.

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 The following are of relevance:

Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest.

Article 6 - the right to a fair hearing

8.0 LOCAL MEMBER SUPPORT IMPLICATIONS

8.1 This report affects the entire Borough.

9.0 COMMUNITY SAFETY IMPLICATIONS

9.1 There are community safety implications arising out of this report as members are being asked to consider whether the vehicle is suitable to continue to be licensed as a private hire vehicle having regard to its mileage, appearance, condition and safety features.

10.0 PLANNING IMPLICATIONS

10.1 There are no planning implications arising out of this report.

11.0 BACKGROUND PAPERS

11.1 The application form submitted by Mr Robinson applying for the renewal of his Private Hire Vehicle Licence.

12.0 RECOMMENDATION

12.1 Members are asked to consider whether or not to re-license this vehicle for a further period of six months.

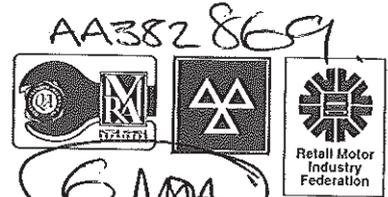
Alan Stennard
Director of Regeneration

This report was prepared by Margaret Calvert who can be contacted on 0151 691 8476.

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MOT REPORT

Test Centre No. 43339

| | | | |
|-----------------------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Reg. No. X4HSBDF | Make/Model FORD MONDEO | Year of Manufacture 2000 | Class of Vehicle PH III IV VII |
| VIN of Chassis WFO5XXGBB57142873 | Colour BLACK | <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |

| ITEMS TESTED | Cars/LGV | Pass | Fail |
|------------------------------------|--------------|------|------|
| Lighting Equipment | | | |
| Front & Rear Lamps | 1/1 | - | |
| Headlamps | 1/2 | - | |
| Headlamp Aim | 1/6 | - | |
| Stop Lamps | 1/3 | - | |
| Rear Reflectors | 1/4 | - | |
| Direction Indicators | 1/5 | - | |
| Steering & Suspension | | | |
| Steering Control | II/1 | - | |
| Steering Mechanism/system | II/2 | - | |
| Power Steering | II/3 | - | |
| Transmission Shafts | II/2,4,9 | - | |
| Wheel Bearings | II/4 | - | |
| Front Suspension | II/5-9 | - | |
| Rear Suspension | II/9 | - | |
| Shock Absorbers | II/10 | - | |
| Wheel Alignment | N/A | N/A | |
| Brakes | | | |
| Controls | III/1,3 | - | |
| Condition of Service Brake System | III/3,4 | - | |
| Condition of Parking Brake System | III/1,2 | - | |
| Service Brake Performance | III/5,8 | - | |
| Parking Brake Performance | III/5,8 | - | |
| Tyres & Wheels | | | |
| Tyre Type | IV/1 | - | |
| Tyre Load/Speed Rating (Class VII) | | N/A | |
| Tyre Condition | IV/1 | - | |
| Road Wheels | IV/2 | - | |
| Seat Belts | | | |
| Mountings | V/1 | - | |
| Condition | V/1 | - | |
| Operation | V/1 | - | |
| Vehicle Weight | | | |
| Brake Efficiency | | | |
| | Front Brakes | | |
| | Rear Brakes | | |
| | Hand Brake | | |
| General | | | |
| Windscreen Wipers & Washers | VI/1,2 | - | |
| Horn | VI/4 | - | |
| Exhaust System | VI/3 | - | |
| Registration No./VIN No. | | - | |
| Vehicle Structure | VI/5 | - | |
| View of Road | | - | |

Result of Inspection: Items marked * advisory only

PLEASE PRODUCE THIS FORM IF A RE-TEST IS REQUIRED

No: 43339

ALF WALSH AUTO ENG'R LTD
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 BIRKENHEAD
 Tel: 0151 666 6625

W.B.C. VEHICLE PASS

| N/S | O/S | Totals | Balance | Requirement | % Efficient |
|-----|-----|--------|---------|-------------|-------------|
| | | | P/H | A/C | |

| | | |
|---------------------------------|------|------|
| Petrol Exhaust Emissions | | |
| Reading | Pass | Fail |
| CO | | |
| HC | | |
| Diesel Exhaust Emissions | | |
| Reading | Pass | Fail |
| | | |

I certify that I have read and understood the above defects and advised items, which are or may become defective before the next MOT or service is due.

Customer's signature: *[Signature]*

Date of test: **18/08/09**

Tester's signature: *[Signature]*

Customer's name: **E L ROBINSON**

Customer's address: **1 THE CRESCENT
 PENBY WIERAL
 CH61 9QD**

Tel. no.:

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