

REGULATORY PANEL

Friday, 3 March 2023

Present: Councillors S Bennett
M Booth
C Cooke
D Mitchell

126 APPOINTMENT OF CHAIR

In the absence of the Chair, it was –

Resolved – That Councillor S Bennett be appointed Chair for this meeting.

127 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.

128 PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT MASTER, REGISTRATION NUMBER EX59 GNK

The Director of Law and Governance reported upon an application received to license a Renault Master, registration number EX59 GNK, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 21 March 2019 and the current licence was due to expire on 19 March 2023. The date of first registration of the vehicle was 21 September 2009. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Renault Master, registration number EX59 GNK, as a Private Hire Vehicle be granted for six months.

129 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN RELAY, REGISTRATION NUMBER GN61 JWV**

The Director of Law and Governance reported upon an application received to license a Citroen Relay, registration number GN61 JWV, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 23 October 2018 and the current licence was due to expire on 3 March 2023. The date of first registration of the vehicle was 9 January 2012. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Citroen Relay, registration number GN61 JWV, as a Private Hire Vehicle be granted for six months.

130 **PRIVATE HIRE VEHICLE LICENCE - FORD TOURNEO, REGISTRATION NUMBER AJ12 NVA**

The Director of Law and Governance reported upon an application received to license a Ford Tourneo, registration number AJ12 NVA, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 23 December 2019 and the current licence was due to expire on 3 March 2023. The date of first registration of the vehicle was 13 June 2012. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Citroen Relay, registration number AJ12 NVA, as a Private Hire Vehicle be granted for six months.

131 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN RELAY, REGISTRATION NUMBER BX12 BVL**

The Director of Law and Governance reported upon an application received to license a Citroen Relay, registration number BX12 BVL, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 2 January 2020 and the current licence was due to expire on 22 March 2023. The date of first registration of the vehicle was 15 March 2012. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Citroen Relay, registration number BX12 BVL, as a Private Hire Vehicle be granted for six months subject to documentation being provided to the Licensing Authority confirming that the advisories referred to on the MOT certificate had been carried out.

132 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VOLKSWAGEN PASSAT, REGISTRATION NUMBER VO13 NMV**

The Director of Law and Governance reported upon an application received to license a Volkswagen Passat, registration number VO13 NMV, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 10 June 2016 and the current licence was due to expire on 25 March 2023. The date of first registration of the vehicle was 25 March 2013. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Volkswagen Passat, registration number VO13 NMV, as a Private Hire Vehicle be granted for six months.

133 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES-BENZ V220, REGISTRATION NUMBER NE11 LOV**

The Director of Law and Governance reported upon an application received to license a Mercedes-Benz V220, registration number NE11 LOV, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence as set out in the Statement of Hackney Carriage and Private Hire Licensing Policy states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

It was reported that the date of first registration of the vehicle was 9 November 2018 and should a licence be granted, the vehicle would be used for executive travel service. The applicant had previously attended the Licensing Panel on 14 September 2018 when a request to be exempt from displaying the plates on the vehicle licensed at that time and from wearing a Private Hire Driver badge was granted due to the type of work undertaken as an executive travel service.

The applicant attended the meeting with the vehicle which was inspected by Members.

In determining the application, Members took into consideration that the vehicle would be used for executive travel service.

Resolved –

(1) That due to the restricted use of this vehicle, the application to license the Mercedes-Benz V220, Registration Number NE11 LOV, as a Private Hire Vehicle be granted with the following conditions:

- **Seats must be configured to allow passengers who are seated in the vehicle direct access to the doors at all times; and**
- **Signs must be displayed to clearly indicate the position of the integrated door releases.**

(2) That the proprietor of the vehicle registration number NE11 LOV be provided with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates and doorsigns on the vehicle with the following conditions to be applied to the Private Hire Vehicle Licence and the Private Hire Operator Licence:

- **All bookings must be made at least 24 hours in advance.**
- **Payment for all bookings must be requested through an invoicing system.**

- **The operator must communicate with customers for each booking taken, by text or email, with the following information:**
 - **Private Hire Driver name**
 - **Private Hire Driver photograph**
 - **Private Hire Driver badge number**
 - **Private Hire Vehicle registration number**

For the avoidance of doubt, the above conditions also apply in respect of drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

134 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES-BENZ V220, REGISTRATION NUMBER KS66 KRG**

The Director of Law and Governance reported upon an application received to license a Mercedes-Benz V220, registration number KS66 KRG, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence as set out in the Statement of Hackney Carriage and Private Hire Licensing Policy states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

It was reported that the date of first registration of the vehicle was 17 February 2017 and should a licence be granted, the vehicle would be used for executive travel service.

The applicant attended the meeting with the vehicle which was inspected by Members.

In determining the application, Members took into consideration that the vehicle would be used for executive travel service.

Resolved –

(3) That due to the restricted use of this vehicle, the application to license the Mercedes-Benz V220, Registration Number KS66 KRG, as a Private Hire Vehicle be granted with the following conditions:

- **Seats must be configured to allow passengers who are seated in the vehicle direct access to the doors at all times; and**

- Signs must be displayed to clearly indicate the position of the integrated door releases.
- (4) That the conditions of the applicant's Private Hire Operator Licence be applied: that the applicant be provided with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates and doorsigns on the vehicle with the following conditions to be applied to the Private Hire Vehicle Licence and the Private Hire Operator Licence:
- All bookings must be made at least 24 hours in advance.
 - Payment for all bookings must be requested through an invoicing system.
 - The operator must communicate with customers for each booking taken, by text or email, with the following information:
 - Private Hire Driver name
 - Private Hire Driver photograph
 - Private Hire Driver badge number
 - Private Hire Vehicle registration number

For the avoidance of doubt, the above conditions also apply in respect of drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

135 **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 item of business on the grounds that it involves 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.

136 **HACKNEY CARRIAGE DRIVER LICENCE REVIEW (JMA)**

The Director of Law and Governance submitted a report for Members to consider whether JMA should continue to hold a Hackney Carriage Driver Licence.

JMA attended the meeting together with the Chair of Unite the Union and made representations. JMA and the representative of Unite the Union responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the responses made by JMA.

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

Resolved – That JMA be allowed to continue to hold a Hackney Carriage Driver Licence.

137 **PRIVATE HIRE DRIVER LICENCE APPLICATION (NH)**

The Director of Law and Governance submitted a report for Members to consider whether NH should be granted a Private Hire Driver Licence.

NH attended the meeting and made representations in respect of the application. NH responded to questions from Members of the Panel and the legal advisor to the Panel.

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

Resolved (3:1 Councillor S Bennett dissenting) - That NH's application for a Private Hire Driver Licence be granted.

138 **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCE APPLICATIONS (PGJ)**

The Director of Law and Governance submitted a report for Members to consider whether PGJ should be granted a Private Hire Driver Licence and a Hackney Carriage Driver Licence.

PGJ attended the meeting and made representations in respect of the application. PGJ responded to questions from Members of the Panel and the legal advisor to the Panel.

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

Resolved - That PGJ's application for a Private Hire Driver Licence and a Hackney Carriage Driver Licence be granted.

139 **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCE APPLICATIONS (JPP)**

The Director of Law and Governance submitted a report for Members to consider whether JPP should be granted a Private Hire Driver Licence and a Hackney Carriage Driver Licence.

JPP attended the meeting and made representations in respect of the application. JPP responded to questions from Members of the Panel and the legal advisor to the Panel.

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

Resolved - That JPP's application for a Private Hire Driver Licence and a Hackney Carriage Driver Licence be granted.

140 **PRIVATE HIRE DRIVER LICENCE APPLICATION (NSM)**

The Director of Law and Governance reported upon an application received by NSM for the grant of a Private Hire Driver Licence.

NSM attended the meeting and made representations in respect of the application. NSM responded to questions from Members of the Panel and their legal advisor.

Members gave due consideration to the representations made and exercised their right to consider each case on its individual merits in light of the representations made.

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 (3:1 Councillor M Booth dissenting) - That NSM's application for the grant of a Private Hire Driver Licence be refused.