

LICENSING PANEL

Tuesday, 20 June 2023

Present: Councillors A Hodson (Chair)
G Davies
B Hall
R Pitt
J Stewart Laing

1 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.

The Chair declared a personal interest in Item 3 – Private Hire Vehicle Licence Application – Skoda Superb, Registration Number DF13 GUW by virtue of being acquainted with the applicant (minute 3 refers).

2 PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT BOXER, REGISTRATION NUMBER YF13 XTW

The Director of Law and Governance reported upon an application received to license a Peugeot Boxer, registration number YF13 XTW, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 14 November 2022 and the current licence was due to expire on 20 June 2023. The date of first registration of the vehicle was 20 June 2013. 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 brother of 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 Peugeot Boxer, registration number YF13 XTW, 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 and the rear seat armrest on the driver's side had been repaired by 30 June 2023.

3 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - SKODA SUPERB, REGISTRATION NUMBER DF13 GUW**

The Chair declared a personal interest in this matter by virtue of being acquainted with the applicant and left the room during its consideration.

Councillor J Stewart Laing took the chair for this item.

The Director of Law and Governance reported upon an application received to license a Skoda Superb, registration number DF13 GUW, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 12 July 2018 and the current licence was due to expire on 29 June 2023. The date of first registration of the vehicle was 29 June 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 Skoda Superb, registration number DF13 GUW, as a Private Hire Vehicle be granted for six months.

4 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER BK13 BMO**

The Director of Law and Governance reported upon an application received to license a Ford Mondeo, registration number BK13 BMO, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 4 October 2017 and the current licence was due to expire on 12 July 2023. The date of first registration of the vehicle was 12 July 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 Ford Mondeo, registration number BK13 BMO, as a Private Hire Vehicle be granted for six months.

5 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - AUDI A7, REGISTRATION NUMBER BL72 YXX**

The Director of Law and Governance reported upon an application received to license an Audi A7, registration number BL72 YXX, 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 7 February 2023 and should a licence be granted, the vehicle would be used to undertake work providing an executive travel service.

It was further reported that should the application be granted it would be necessary for the vehicle to be examined at one of the Council's authorised testing stations in order for it to receive a valid MOT and Compliance certificate.

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 Audi A7, registration number BL72 YXX, as a Private Hire Vehicle be granted.**

- (2) That the following conditions 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 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.

6 **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.

7 **PRIVATE HIRE DRIVER LICENCE REVIEW (MJL)**

The Director of Law and Governance submitted a report for Members to consider whether MJL should continue to hold a Private Hire Driver Licence.

MJL attended the meeting and made representations. MJL responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the responses made by MJL.

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 –

(1) That MJL be allowed to continue to hold a Private Hire Driver Licence subject to the successful completion of both the NVQ and the first available Driver Awareness Course to be arranged by the Licensing Authority.

(2) That MJL be issued with a written warning as to their future conduct.

8 **PRIVATE HIRE DRIVER LICENCE APPLICATION (APJ)**

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

APJ attended the meeting and made representations in respect of the application. APJ 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 APJ's application for a Private Hire Driver Licence be granted.

9 **PRIVATE HIRE DRIVER LICENCE APPLICATION (JD)**

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

JD attended the meeting and made representations in respect of the application. JD 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 JD's application for a Private Hire Driver Licence be granted.