



Licensing Panel

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| Date: | Tuesday, 20 June 2023 |
| Time: | 9.45 a.m. |
| Venue: | Solar Campus, Leasowe Road, Wallasey CH45 8RE |

Contact Officer: Anne Beauchamp
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Website: www.wirral.gov.uk

Please note that public seating is limited, therefore members of the public are encouraged to arrive in good time.

Wirral Council is fully committed to equalities and our obligations under The Equality Act 2010 and Public Sector Equality Duty. If you have any adjustments that would help you attend or participate at this meeting, please let us know as soon as possible and we would be happy to facilitate where possible. Please contact committeeservices@wirral.gov.uk

AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel 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. PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT BOXER, REGISTRATION NUMBER YF13 XTW (Pages 1 - 4)

3. PRIVATE HIRE VEHICLE LICENCE APPLICATION - SKODA SUPERB, REGISTRATION NUMBER DF13 GUW (Pages 5 - 8)

4. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER BK13 BMO (Pages 9 - 12)

5. PRIVATE HIRE VEHICLE LICENCE APPLICATION - AUDI A7,

REGISTRATION NUMBER BL72 YXX (Pages 13 - 16)

6. 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.

- 7. PRIVATE HIRE DRIVER LICENCE REVIEW (MJL) (Pages 17 - 20)**
- 8. PRIVATE HIRE DRIVER LICENCE APPLICATION (APJ) (Pages 21 - 24)**
- 9. PRIVATE HIRE DRIVER LICENCE APPLICATION (JD) (Pages 25 - 34)**



LICENSING PANEL

20 JUNE 2023

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|---------------------|---|
| REPORT TITLE | PRIVATE HIRE VEHICLE LICENCE APPLICATION |
| REPORT OF | DIRECTOR OF LAW AND GOVERNANCE |

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Peugeot Boxer, registration number YF13 XTW as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Peugeot Boxer, registration number YF13 XTW, as a Private Hire Vehicle.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION

- 1.1 The Licensing Authority have received an application to license a Peugeot Boxer, registration number YF13 XTW outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to licence a vehicle as a Private Hire Vehicle where it does not comply with the current criteria for licensing Private Hire Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license a Peugeot Boxer, registration number YF13 XTW, be determined by an Officer in line with the current criteria for licensing Private Hire Vehicles within the Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

3.0 BACKGROUND INFORMATION

- 3.1 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 includes the following:
1. Vehicles must be under 10 years of age from the date of manufacture or date of first registration, whichever is the earliest.
 2. Once a vehicle reaches 6 years of age it will be required to be tested every six months and a six monthly licence will be issued.
 3. Any vehicle which is more than 9 years and 6 months old will be issued with a licence that will expire on the day before it reaches 10 years old.
- 3.2 The proprietor of the vehicle, Mr Williams of MW Transport, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 14 November 2022 and the current licence is due to expire on 20 June 2023.
- 3.4 The date of first registration of this vehicle is 20 June 2013.
- 3.5 If a licence is granted, the vehicle will 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.
- 3.6 The vehicle has been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates will be provided in advance of the meeting.
- 3.7 The vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising directly from this report.

5.0 LEGAL IMPLICATIONS

5.1 Section 48 (1) of The Local Government (Miscellaneous Provisions) Act 1976 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle
- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

5.2 Section 48 (7) of The Local Government (Miscellaneous Provisions) Act 1976 states that any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are safety implications arising out of this report as the Licensing Panel must be satisfied that the vehicle is safe, suitable and comfortable to be licensed as a Private Hire Vehicle. The vehicle has been examined at one of the Council's authorised testing stations and has passed the MOT and Compliance tests.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency report 2018)

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

REPORT AUTHOR: Dawn Bott
Licensing Team Leader
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APPENDICES

None

BACKGROUND PAPERS

Application form
MOT pass certificate
Compliance Test pass certificate
Statement of Hackney Carriage and Private Hire Licensing Policy
European Environment Agency Report 2018
Local Government (Miscellaneous Provisions) Act 1976

TERMS OF REFERENCE

This report is being considered by the Licensing Panel who are delegated to determine such matters in accordance with Section 8.4 of the Licensing and General Purposes Committee's Terms of Reference referred to in Part 3, Section B of the Council's constitution.

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|-----------------|------|
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LICENSING PANEL

20 JUNE 2023

| | |
|---------------------|---|
| REPORT TITLE | PRIVATE HIRE VEHICLE LICENCE APPLICATION |
| REPORT OF | DIRECTOR OF LAW AND GOVERNANCE |

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Skoda Superb, registration number DF13 GUW as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Skoda Superb, registration number DF13 GUW, as a Private Hire Vehicle.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 The Licensing Authority have received an application to license a Skoda Superb, registration number DF13 GUW, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to licence a vehicle as a Private Hire Vehicle where it does not comply with the current criteria for licensing Private Hire Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license a Skoda Superb, registration number DF13 GUW, be determined by an Officer in line with the current criteria for licensing Private Hire Vehicles within the Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

3.0 BACKGROUND INFORMATION

- 3.1 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 includes the following:
1. Vehicles must be under 10 years of age from the date of manufacture or date of first registration, whichever is the earliest.
 2. Once a vehicle reaches 6 years of age it will be required to be tested every six months and a six monthly licence will be issued.
 3. Any vehicle which is more than 9 years and 6 months old will be issued with a licence that will expire on the day before it reaches 10 years old.
- 3.2 The proprietor of the vehicle, Mr Stephenson, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 12 July 2018 and the current licence is due to expire on 29 June 2023.
- 3.4 The date of first registration of this vehicle is 29 June 2013.
- 3.5 The vehicle has been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates will be provided in advance of the meeting.
- 3.6 The vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising directly from this report.

5.0 LEGAL IMPLICATIONS

5.1 Section 48 (1) of The Local Government (Miscellaneous Provisions) Act 1976 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle
- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

5.2 Section 48 (7) of The Local Government (Miscellaneous Provisions) Act 1976 states that any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are safety implications arising out of this report as the Licensing Panel must be satisfied that the vehicle is safe, suitable and comfortable to be licensed as a Private Hire Vehicle. The vehicle has been examined at one of the Council's authorised testing stations and has passed the MOT and Compliance tests.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency report 2018)

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

REPORT AUTHOR: Dawn Bott
Licensing Team Leader
0151 691 8014
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APPENDICES

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LICENSING PANEL

20 JUNE 2023

| | |
|---------------------|---|
| REPORT TITLE | PRIVATE HIRE VEHICLE LICENCE APPLICATION |
| REPORT OF | DIRECTOR OF LAW AND GOVERNANCE |

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Ford Mondeo, registration number BK13 BMO as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Ford Mondeo, registration number BK13 BMO, as a Private Hire Vehicle.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 The Licensing Authority have received an application to license a Ford Mondeo, registration number BK13 BMO, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to licence a vehicle as a Private Hire Vehicle where it does not comply with the current criteria for licensing Private Hire Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license a Ford Mondeo, registration number BK13 BMO, be determined by an Officer in line with the current criteria for licensing Private Hire Vehicles within the Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

3.0 BACKGROUND INFORMATION

- 3.1 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 includes the following:
1. Vehicles must be under 10 years of age from the date of manufacture or date of first registration, whichever is the earliest.
 2. Once a vehicle reaches 6 years of age it will be required to be tested every six months and a six monthly licence will be issued.
 3. Any vehicle which is more than 9 years and 6 months old will be issued with a licence that will expire on the day before it reaches 10 years old.
- 3.2 The proprietor of the vehicle, Mr Thompson, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 4 October 2017 and the current licence is due to expire on 12 July 2023.
- 3.4 The date of first registration of this vehicle is 12 July 2013.
- 3.5 The vehicle has been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates will be provided in advance of the meeting.
- 3.6 The vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising directly from this report.

5.0 LEGAL IMPLICATIONS

5.1 Section 48 (1) of The Local Government (Miscellaneous Provisions) Act 1976 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle
- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

5.2 Section 48 (7) of The Local Government (Miscellaneous Provisions) Act 1976 states that any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are safety implications arising out of this report as the Licensing Panel must be satisfied that the vehicle is safe, suitable and comfortable to be licensed as a Private Hire Vehicle. The vehicle has been examined at one of the Council's authorised testing stations and has passed the MOT and Compliance tests.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency report 2018)

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

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LICENSING PANEL

20 JUNE 2023

| | |
|---------------------|---|
| REPORT TITLE | PRIVATE HIRE VEHICLE LICENCE APPLICATION |
| REPORT OF | DIRECTOR OF LAW AND GOVERNANCE |

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license an Audi A7, registration number BL72 YXX as a Private Hire Vehicle, outside the current criteria for licensing Private Hire Vehicles, which states that side and rear windows must allow at least 70% of light to be transmitted through.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license an Audi A7, registration number BL72 YXX, as a Private Hire Vehicle.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION

- 1.1 The Licensing Authority have received an application to license an Audi A7, registration number BL72 YXX, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to licence a vehicle as a Private Hire Vehicle where it does not comply with the current criteria for licensing Private Hire Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license an Audi A7, registration number BL72 YXX, be determined by an Officer in line with the current criteria for licensing Private Hire Vehicles within the Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

3.0 BACKGROUND INFORMATION

- 3.1 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 includes the following:

- The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

- 3.2 The proprietor of the vehicle, Mr Neves, has applied to license the vehicle as a Private Hire Vehicle to undertake work providing an executive travel service.

- 3.3 The date of first registration of the vehicle is 7 February 2023.

- 3.4 Mr Neves has held a Private Hire Driver Licence since 14 March 2019 and his current licence is due to expire on 18 September 2025.

- 3.5 Should the Licensing Panel determine that the vehicle may be licensed as a Private Hire Vehicle it will be necessary for it to be examined at one of the Council's authorised testing stations in order for it to receive a valid MOT and Compliance certificate.

- 3.6 The vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

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

5.0 LEGAL IMPLICATIONS

- 5.1 Section 48 (1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle
- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

5.2 Section 48 (2) of the Local Government (Miscellaneous Provisions) Act 1976 states that a council may attached to the grant of a licence such conditions as they may consider reasonably necessary including conditions requiring or prohibiting the display of signs on or from the vehicle from which the licence relates.

5.3 Section 48 (7) of The Local Government (Miscellaneous Provisions) Act 1976 states that any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are safety implications arising out of this report as the Licensing Panel must be satisfied that the vehicle is safe, suitable and comfortable to be licensed as a Private Hire Vehicle.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency report 2018)

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

REPORT AUTHOR: Dawn Bott
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APPENDICES

None

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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