



## Licensing Panel

<b>Date:</b>	<b>Wednesday, 16 August 2023</b>
<b>Time:</b>	<b>9.45 a.m.</b>
<b>Venue:</b>	Solar Campus, 235 Leasowe Road, Wallasey CH45 8RE

**Contact Officer:** Anne Beauchamp  
**Tel:** 0151 691 8322  
**e-mail:** [annebeauchamp@wirral.gov.uk](mailto:annebeauchamp@wirral.gov.uk)  
**Website:** [www.wirral.gov.uk](http://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](mailto: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 - RENAULT TRAFIC, REGISTRATION NUMBER LX61 DGE (Pages 1 - 4)

### 3. PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER WA60 EWG (Pages 5 - 8)

### 4. PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA AVENSIS, REGISTRATION NUMBER MX63 AKJ (Pages 9 - 12)

### 5. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT CONNECT, REGISTRATION NUMBER SF66 DUA (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 (MDFM) (Pages 17 - 24)**
- 8. PRIVATE HIRE DRIVER LICENCE REVIEW (SJMCC) (Pages 25 - 32)**



## LICENSING PANEL

16 AUGUST 2023

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE APPLICATION</b>
<b>REPORT OF</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

### REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Renault Trafic, registration number LX61 DGE 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 Renault Trafic, registration number LX61 DGE, as a Private Hire Vehicle.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license a Renault Trafic, registration number LX61 DGE, 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 Renault Trafic, registration number LX61 DGE, 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, Ms Atherton of A Team Wirral Ltd, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 3 September 2018 and the current licence is due to expire on 21 August 2023.
- 3.4 The date of first registration of this vehicle is 21 February 2012.
- 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 The Licensing Panel must have regard to their Public Sector Equality Duty when considering the application.

## **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  
[dawnbott@wirral.gov.uk](mailto:dawnbott@wirral.gov.uk)

## **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)**

<b>Council Meeting</b>	<b>Date</b>
Regulatory Panel	11 March 2022
Regulatory Panel	12 August 2022
Regulatory Panel	2 February 2023



## LICENSING PANEL

16 AUGUST 2023

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE APPLICATION</b>
<b>REPORT OF</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

### REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license an Iveco-Ford Daily, registration number WA60 EWG 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 an Iveco-Ford Daily, registration number WA60 EWG, as a Private Hire Vehicle.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license an Iveco-Ford Daily, registration number WA60 EWG, 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 Iveco-Ford Daily, registration number WA60 EWG, 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, Ms Atherton of A Team Wirral Ltd, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 31 August 2018 and the current licence is due to expire on 16 August 2023.
- 3.4 The date of first registration of this vehicle is 20 December 2010.
- 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 The Licensing Panel must have regard to their Public Sector Equality Duty when considering the application.

## **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  
[dawnbott@wirral.gov.uk](mailto:dawnbott@wirral.gov.uk)

## 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)

<b>Council Meeting</b>	<b>Date</b>
Regulatory Panel	29 January 2021
Regulatory Panel	9 July 2021
Regulatory Panel	11 February 2022
Regulatory Panel	12 August 2022
Regulatory Panel	2 February 2023



## LICENSING PANEL

16 AUGUST 2023

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE APPLICATION</b>
<b>REPORT OF</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

### REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Toyota Avensis, registration number MX63 AKJ 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 Toyota Avensis, registration number MX63 AKJ, as a Private Hire Vehicle.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license a Toyota Avensis, registration number MX63 AKJ, 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 Toyota Avensis, registration number MX63 AKJ, 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, Mrs Das, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 8 August 2014 and the current licence is due to expire on 3 September 2023.
- 3.4 The date of first registration of this vehicle is 4 September 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 The Licensing Panel must have regard to their Public Sector Equality Duty when considering the application.

## **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  
[dawnbott@wirral.gov.uk](mailto:dawnbott@wirral.gov.uk)

## **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)**

<b>Council Meeting</b>	<b>Date</b>



## LICENSING PANEL

16 AUGUST 2023

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE APPLICATION</b>
<b>REPORT OF</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

### REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Ford Transit Connect, registration number SF66 DUA as a Private Hire Vehicle, outside the current criteria for licensing Private Hire Vehicles, which states that the vehicle must be capable of carrying at least 4 and not more than 8 passengers in addition to the driver.

### RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Ford Transit Connect, registration number SF66 DUA, 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 Transit Connect, registration number SF66 DUA, 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 Transit Connect, registration number SF66 DUA, 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 vehicle must be capable of carrying at least 4 and not more than 8 passengers in addition to the driver.

- 3.2 The vehicle has been manufactured to be wheelchair accessible and to carry one wheelchair passenger whilst seated in their wheelchair and two further passengers who are not seated in a wheelchair.
- 3.3 The proprietor of the vehicle, Mr Miller, has applied to license the vehicle as a Private Hire Vehicle to undertake home to school contract work.
- 3.4 The date of first registration of the vehicle is 7 September 2016.
- 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 The Licensing Panel must have regard to their Public Sector Equality Duty when considering the application.

## **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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[dawnbott@wirral.gov.uk](mailto:dawnbott@wirral.gov.uk)

## **APPENDICES**

None

## **BACKGROUND PAPERS**

Application form  
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)**

<b>Council Meeting</b>	<b>Date</b>

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

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