

REGULATORY AND GENERAL PURPOSES COMMITTEE

Wednesday, 29 January 2025

<u>Present:</u>	Councillor	A Hodson (Chair)	
	Councillors	S Bennett L Luxon-Kewley P Basnett B Hall M Booth	C McDonald G Jenkinson E Tomeny K Murphy A Brame
<u>Apologies</u>	Councillors	J Stewart Laing	G Davies

28 WELCOME AND INTRODUCTION

The Chair welcomed everyone to the meeting and those watching the webcast.

29 APOLOGIES

The Chair confirmed that apologies had been received from Councillor Graham Davies and Councillor James Stewart Laing.

30 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non-pecuniary interests and/or any other relevant interest in connection with any item on the agenda and to state the nature of the interest.

Councillor P Basnett declared a non-pecuniary interest in item 9 on the agenda – Minor Revision to Hackney Carriage and Private Hire Vehicle Conditions – by virtue of being a relative of a Private Hire Driver Licence Holder (minute 37 refers).

Councillor B Hall declared a personal interest in item 7 on the agenda – Wirral Ward 2024 – by virtue of being acquainted with a nominee of the Wirral Award (minute 35 refers).

31 MINUTES

The minutes of the meeting held on 14 November 2024 were approved as an accurate record.

32 **MINUTES OF LICENSING PANEL**

The minutes of the meetings of the Licensing Panel held on 12 July 2024, 9 August 2024, 13 September 2024, 8 November 2024 and 13 December 2024 were approved as a correct record.

33 **PUBLIC AND MEMBER QUESTIONS**

No public or Member questions had been received.

34 **WIRRAL AWARD 2024**

Councillor B Hall declared a person interest in this matter by virtue of being acquainted with a nominee of the Wirral Award (minute 30 refers).

The Director of Law and Corporate Services submitted a report requesting agreement from the Committee that the Wirral Award be conferred on the nominees as recommended by the Wirral Award Working Party held on 27 November 2024. The Wirral Award is intended to confer civic recognition upon individuals or organisations resident or located in Wirral for an outstanding achievement within the previous twelve months, or for distinguished service to the Borough over a period of twenty years or more.

It was reported that once nominations were agreed, certificates would be awarded to the successful nominees at a ceremony to be held at a suitable venue.

Members considered the recommendations of the Wirral Award Working Party and the nominations which were attached to the report as an exempt appendix.

On a motion by Councillor L Luxon-Kewley and seconded by Councillor G Jenkinson, it was -

Resolved (by assent) –

- (1) That the Wirral Award 2024 be conferred upon the 11 nominees recommended by the Wirral Award Working Party.**
- (2) That appropriate arrangements be made for the recipients of the Award to be invited to a special ceremony.**

EXECUTIVE PRIVATE HIRE VEHICLE CRITERIA AND CONDITIONS AND PRIVATE HIRE OPERATOR CONDITIONS ALLOCATING WORK TO EXECUTIVE TRAVEL VEHICLES

The Director of Law and Corporate Services submitted a report seeking the Committee's approval of criteria and conditions in respect of vehicles to be licensed as Private Hire Vehicles that would undertake work exclusively to provide an executive travel service. The report also sought authorisation for the Licensing Manager to amend relevant licensing documents in accordance with the proposed criteria and conditions should they be approved.

The Licensing Manager advised that applications to license vehicles as Private Hire Vehicles to undertake an executive travel service which do not comply with the requirement that windows rear of the B-pillar must allow a minimum light transmission of 30%. The Licensing Manager further advised that such applications also requested exemption from the requirement to display licence plates and door signs on their vehicle. Members were informed that these applications are subsequently referred to the Licensing Panel as Licensing Officers do not have delegated authority to grant such licences outside of the criteria.

Members were advised that due to the number of applications that had been approved by the Licensing Panel subject to certain conditions being attached to both the Private Hire Vehicle Licence and the Operator Licence it had been considered appropriate to develop relevant criteria and conditions that could be applied by officers to grant Private Hire Vehicle Licences and Private Hire Operator Licences in respect of work to be undertaken exclusively to provide an executive travel service.

It was reported that the Department for Transport Best Practice Guidance consider that an exemption from the 30% minimum light transmission level for executive hire vehicles is appropriate and acknowledge that it is appropriate to grant vehicle plate exemptions for these types of vehicles "where passengers demand a higher degree of privacy" but that Licensing Authorities should be assured that those vehicles are not used for 'normal fares'.

On a motion by Councillor G Jenkinson and seconded by Councillor L Luxon Kewley, it was -

Resolved (by assent) –

- (1) That the criteria attached at Appendix 1 to the report to be applied to Private Hire Vehicles that are to be restricted to providing an executive travel service be approved.**

- (2) That the conditions attached at Appendix 2 to the report to be applied to Private Hire Vehicles that are to be restricted to providing an executive travel services be approved.
- (3) That the conditions attached at Appendix 3 to the report to be applied to Private Hire Operators that are to be restricted to providing an executive travel service be approved.
- (4) That the Licensing Manager be granted delegated authority to grant an exemption from the legal requirement to display Private Hire Vehicle Licence Plates on a vehicle that is to be used/meets the criteria to provide an executive travel service.
- (5) That the Licensing Manager be authorised to amend relevant licensing documents in accordance with the criteria and conditions attached at Appendix 1, Appendix 2 and Appendix 3 to the report.

36 **MINOR REVISION TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE CONDITIONS**

Councillor P Basnett declared a non-pecuniary interest in this matter by virtue of being a relative of a Private Hire Driver Licence holder (minute 30 refers).

The Director of Law and Corporate Services submitted a report seeking the Committee's approval of minor amendments to the Hackney Carriage Vehicle Licence Conditions, Private Hire Vehicle Licence Conditions and Private Hire Vehicle Licence Conditions – Council Contract Work. The report also sought authorisation for the Licensing Manager to amend relevant licensing documents in accordance with the revised Hackney Carriage and Private Hire Vehicle Conditions should they be approved.

The Licensing Manager reported that it had been identified that conditions that restrict the carriage of front seat passengers in licensed vehicles no longer reflected the changes in design and specification of both Hackney Carriage and Private Hire Vehicles.

It was reported that the Licensing Authority receive applications to license Hackney Carriage Vehicles that are purpose built but do have seats at the front of the vehicle and applications to license Private Hire Vehicles for 8 passengers which include the use of two front seats and that these applications had been subsequently granted by the Licensing Authority with no complaints having been received from passengers in respect of being carried in the front seats of the vehicle.

The Licensing Manager advised that should the Committee approve the recommendations in the report, the Licensing Authority would monitor this and

should any complaints be received in respect of passengers being carried in the front seats they would be brought to the attention of Members.

On a motion by Councillor K Murphy and seconded by Councillor S Bennett, it was -

Resolved –

- (1) That the following condition be removed from the standard Hackney Carriage Vehicle Licence conditions:**

The driver must not cause or permit passengers to be carried in the front of the vehicle unless specifically permitted by the Hackney Carriage Vehicle Licence.

- (2) That the following condition be removed from the standard Private Hire Vehicle Licence conditions:**

Only one passenger is permitted to be conveyed in the front of the Private Hire Vehicle unless specifically permitted by the licence.

- (3) That the following condition be removed from the standard Private Hire - Council Contract Work Vehicle Licence conditions:**

Only one passenger is permitted to be conveyed in the front of the Private Hire Vehicle unless specifically permitted by the licence.

- (4) That the Licensing Manager be authorised to amend relevant licensing documents in accordance with the revised Hackney Carriage and Private Hire Vehicle Conditions.**

37 PAVEMENT LICENCE FEES

The Director of Law and Corporate Services submitted a report for the Committee to determine the appropriate fees for the processing and administration of Pavement Licences in light of amendments to the Business and Planning Act 2020.

The Licensing Manager reported that during 2020 the Government had introduced relaxations to Planning and Licensing laws to help the hospitality industry recover from the coronavirus lockdown restrictions by way of issuing a Pavement Licence for a period of twelve months with a maximum fee of £100.00 which allowed premises to seat and serve customers outdoors.

Members were advised that on 31 March 2024, the Levelling Up and Regeneration Act 2023 amended the Business and Planning Act 2020 to allow Pavement Licences to be granted by a Local Authority for a period not

exceeding two years with a fee not exceeding £500.00 and a renewal fee not exceeding £350.00.

It was reported that the Licensing Authority had reviewed the costs associated with the granting of a Pavement Licence for a period of one year and that the renewal of the Licence and considered that a fee of £330.00 for an application for a Pavement Licence and a fee of £210.00 for a renewal of a Pavement Licence would recover the associated costs.

In response to a question from a Member of the Committee, the Licensing Manager confirmed that should the proposed fees be approved they would be in place from the new financial year.

On a motion by Councillor C Walsh McDonald and seconded by Councillor B Hall, it was -

Resolved – That the proposed fees for the processing and administration of Pavement Licences of £330.00 for an application for a Pavement Licence and £210.00 for a renewal of a Pavement Licence be approved to be incorporated within the Annual Budget Report to Policy and Resources Committee and that the proposed fees would come into effect from 1 April 2025.

38 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part 1 of Schedule 12A (as amended) to that Act. The Public Interest test had been applied and favoured exclusion.

39 WIRRAL AWARD 2024 EXEMPT APPENDIX

Members of the Committee considered the exempt appendix to the report.

Resolved – That the appendix attached to the report containing the nomination forms for the Wirral Award 2024 is exempt under Section 100 (A)(4) of the Local Government Act 1972, Paragraph 1 of Part 1 of Schedule 12A (as amended) to that Act on the grounds that it involves the likely disclosure of exempt information. Consideration had been given to the Public Interest Test.