



## Licensing Panel

<b>Date:</b>	<b>Friday, 10 November 2023</b>
<b>Time:</b>	<b>9.45 a.m.</b>
<b>Venue:</b>	Solar Campus, 235 Leasowe Road, Wallasey, Wirral CH45 8RE

**Contact Officer:** Anne Beauchamp  
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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 - AUDI A4, REGISTRATION NUMBER OV13 NYS (Pages 1 - 4)

### 3. PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES E300, REGISTRATION NUMBER FP63 EHL (Pages 5 - 8)

### 4. PRIVATE HIRE VEHICLE LICENCE REQUEST - MERCEDES-BENZ E220, REGISTRATION NUMBER S2 MTU (Pages 9 - 14)

### 5. PRIVATE HIRE VEHICLE LICENCE REQUEST - MERCEDES-BENZ E220, REGISTRATION NUMBER Y5 APX (Pages 15 - 20)

6. **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES-BENZ E220, REGISTRATION NUMBER PE20 PGZ (Pages 21 - 26)**
7. **PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT CAPTUR, REGISTRATION NUMBER LB66 WXZ (Pages 27 - 30)**
8. **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER GY17 NXP (Pages 31 - 34)**
9. **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 1 of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

10. **HACKNEY CARRIAGE DRIVER LICENCE APPLICATION (LST) (Pages 35 - 40)**
11. **PRIVATE HIRE DRIVER LICENCE REVIEW (BAM) (Pages 41 - 80)**
12. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE REVIEW (SMA) (Pages 81 - 106)**



## LICENSING PANEL

10 NOVEMBER 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 Audi A4, registration number OV13 NYS 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 Audi A4, registration number OV13 NYS, as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license an Audi A4, registration number OV13 NYS, 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 when 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 A4, registration number OV13 NYS, be determined by an Officer in accordance with the current criteria for licensing Private Hire Vehicles within the Council's 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 Council's 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 Dezay, has applied to license the vehicle as a Private Hire Vehicle.

- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 17 November 2022 and the current licence is due to expire on 14 November 2023.

- 3.4 The date of first registration of this vehicle is 14 May 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  
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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)**

<b>Council Meeting</b>	<b>Date</b>
Regulatory Panel	28 April 2023



## LICENSING PANEL

10 NOVEMBER 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 Mercedes E300, registration number FP63 EHL 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 Mercedes E300, registration number FP63 EHL, as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license a Mercedes E300, registration number FP63 EHL, 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 when 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 Mercedes E300, registration number FP63 EHL, be determined by an Officer in accordance with the current criteria for licensing Private Hire Vehicles within the Council's 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 Council's 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 Joynson, 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 July 2022 and the current licence is due to expire on 27 November 2023.

- 3.4 The date of first registration of this vehicle is 28 November 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.

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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)**

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



## LICENSING PANEL

10 NOVEMBER 2023

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE REQUEST</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 a request by the proprietor of a licensed Private Hire Vehicle namely a Mercedes-Benz E220, registration number S2 MTU to be granted an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator.

### RECOMMENDATIONS

The Licensing Panel is recommended to determine whether to grant an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator in respect of a Licensed Private Hire Vehicle namely a Mercedes-Benz E220, registration number S2 MTU.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATIONS**

- 1.1 Mr Scarratt provides an executive travel service and considers that having an exemption to displaying vehicle licence plates and door signs on the vehicle will enable him to offer a more discreet service to his customers who do not want the vehicle to be identified as a Private Hire Vehicle.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 That the request to exempt the Mercedes-Benz E220, registration number S2 MTU from displaying vehicle licence plates and door signs, be determined by an officer in line with the current criteria for licensing Private Hire Vehicles within the Council's Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

### **3.0 BACKGROUND INFORMATION**

- 3.1 It is a legal requirement that when a Private Hire Vehicle Licence is granted the council must issue a plate or a disc identifying that vehicle as a Private Hire Vehicle.
- 3.2 The Licensing Authority currently issue two vehicle Licence Plates at the time when a Private Hire Vehicle Licence is granted. The Licence Plates must be displayed on the outside of the vehicle in accordance with the following conditions:
- The large vehicle licence plate identifying the vehicle as a private hire vehicle (rear plate) must at all times be securely fixed externally to the rear of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.
  - The small vehicle licence plate identifying the vehicle as a private hire vehicle (front plate) must at all times be securely fixed externally to the front of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.
- 3.3 The conditions attached to the Private Hire Vehicle Licence include the following requirement in respect of door signs:
- A magnetic or adhesive door sign must be affixed on either both front or both rear doors of the vehicle at all times when the vehicle is available for use as a private hire vehicle.
- 3.4 The Mercedes-Benz E220, registration number S2 MTU was first licensed as a Private Hire Vehicle on 21 December 2022 and the current licence is due to expire on 20 December 2023. The vehicle currently complies with the conditions set out in paragraph 3.2 and 3.3 above.
- 3.5 The date of first registration of the vehicle is 15 March 2017.

3.6 Mr Scarratt has held a Private Hire Driver Licence since 21 November 2019. Mr Scarratt also holds a Private Hire Operator Licence which was granted on 15 February 2023.

3.7 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 (5) of the Local Government (Miscellaneous Provisions) Act 1976 states that where a district council grant a vehicle licence in respect of a Private Hire Vehicle they shall issue a plate identifying that vehicle as a Private Hire Vehicle. However the Council may exempt a vehicle from the requirement to display a plate in accordance with section 75 (3) of the Local Government (Miscellaneous Provisions) Act 1976.

5.4 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.

7.2 The display of plates and door signs provide a form of recognition and reference to members of the public that the vehicle is licensed. The absence of plates or door signs may affect the ability of members of the public to report incidents relating to the driver of the vehicle. This risk can be mitigated by the imposition of additional conditions on the Private Hire Vehicle Licence and the Private Hire Operator Licence.

## **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.

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## **APPENDICES**

None

## **BACKGROUND PAPERS**

Private Hire Vehicle Licence conditions  
European Environment Agency Report 2018  
Local Government (Miscellaneous Provisions) Act 1976  
Statement of Hackney Carriage and Private Hire Licensing Policy

## **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>

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## LICENSING PANEL

10 NOVEMBER 2023

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE REQUEST</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 a request by the proprietor of a licensed Private Hire Vehicle namely a Mercedes-Benz E220, registration number Y5 APX to be granted an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator.

## RECOMMENDATIONS

The Licensing Panel is recommended to determine whether to grant an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator in respect of a Licensed Private Hire Vehicle namely a Mercedes-Benz E220, registration number Y5 APX.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATIONS**

- 1.1 Mr Sherlock provides an executive travel service and considers that having an exemption to displaying vehicle licence plates and door signs on the vehicle will enable him to offer a more discreet service to his customers who do not want the vehicle to be identified as a Private Hire Vehicle.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 That the request to exempt the Mercedes-Benz E220, registration number Y5 APX from displaying vehicle licence plates and door signs, be determined by an officer in line with the current criteria for licensing Private Hire Vehicles within the Council's Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

### **3.0 BACKGROUND INFORMATION**

- 3.1 It is a legal requirement that when a Private Hire Vehicle Licence is granted the council must issue a plate or a disc identifying that vehicle as a Private Hire Vehicle.
- 3.2 The Licensing Authority currently issue two vehicle Licence Plates at the time when a Private Hire Vehicle Licence is granted. The Licence Plates must be displayed on the outside of the vehicle in accordance with the following conditions:
- The large vehicle licence plate identifying the vehicle as a private hire vehicle (rear plate) must at all times be securely fixed externally to the rear of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.
  - The small vehicle licence plate identifying the vehicle as a private hire vehicle (front plate) must at all times be securely fixed externally to the front of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.
- 3.3 The conditions attached to the Private Hire Vehicle Licence include the following requirement in respect of door signs:
- A magnetic or adhesive door sign must be affixed on either both front or both rear doors of the vehicle at all times when the vehicle is available for use as a private hire vehicle.
- 3.4 The Mercedes-Benz E220, registration number Y5 APX was first licensed as a Private Hire Vehicle on 3 November 2022 and the current licence is due to expire on 2 May 2024. The vehicle currently complies with the conditions set out in paragraph 3.2 and 3.3 above.
- 3.5 The date of first registration of the vehicle is 19 June 2017.

3.6 Mr Sherlock has held a Private Hire Driver Licence since 2 August 2017. Mr Sherlock also holds a Private Hire Operator Licence which was granted on 1 July 2019.

3.7 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 (5) of the Local Government (Miscellaneous Provisions) Act 1976 states that where a district council grant a vehicle licence in respect of a Private Hire Vehicle they shall issue a plate identifying that vehicle as a Private Hire Vehicle. However the Council may exempt a vehicle from the requirement to display a plate in accordance with section 75 (3) of the Local Government (Miscellaneous Provisions) Act 1976.

5.4 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.

7.2 The display of plates and door signs provide a form of recognition and reference to members of the public that the vehicle is licensed. The absence of plates or door signs may affect the ability of members of the public to report incidents relating to the driver of the vehicle. This risk can be mitigated by the imposition of additional conditions on the Private Hire Vehicle Licence and the Private Hire Operator Licence.

## **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  
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## **APPENDICES**

None

## **BACKGROUND PAPERS**

Private Hire Vehicle Licence conditions  
European Environment Agency Report 2018  
Local Government (Miscellaneous Provisions) Act 1976  
Statement of Hackney Carriage and Private Hire Licensing Policy

## **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>

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## LICENSING PANEL

10 NOVEMBER 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 Mercedes-Benz E220, registration number PE20 PGZ 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.

The report also includes a request by the proprietor of the vehicle namely a Mercedes-Benz E220 to be granted an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator.

### RECOMMENDATIONS

The Licensing Panel is recommended to determine whether to license a Mercedes-Benz E220, registration number PE20 PGZ 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.

The Licensing Panel is also recommended to determine whether to grant an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator in respect of a Licensed Private Hire Vehicle namely a Mercedes-Benz E220, registration number PE20 PGZ.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license a Mercedes-Benz E220, registration number PE20 PGZ, 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 when it does not comply with the current criteria for licensing Private Hire Vehicles. The proprietor of the vehicle, Mr Cadden, undertakes work providing an executive travel service and considers that it is appropriate to request the exemptions due to the type of work that he undertakes for customers who do not want the vehicle to be identified as a Private Hire Vehicle.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 That the application to license a Mercedes-Benz E220, registration number PE20 PGZ, be determined by an Officer in accordance with the current criteria for licensing Private Hire Vehicles within the Council's 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 Council's 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 Cadden, 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 16 March 2020.
- 3.4 Mr Cadden has held a Private Hire Driver Licence since 15 April 2013. Mr Cadden also holds a Private Hire Operator Licence which was granted on 2 February 2015.
- 3.5 Mr Cadden has also made a request to be exempt from displaying Private Hire Vehicle Licence Plates and door signs on the vehicle providing details of the Private Hire Operator due to the type of work he will be undertaking as an executive travel service so that he can offer a discreet service to his customers.
- 3.6 It is a legal requirement that when a Private Hire Vehicle Licence is granted the Licensing Authority must issue a plate or a disc identifying that vehicle as a Private Hire Vehicle.
- 3.7 The Licensing Authority currently issue two vehicle licence plates at the time when a Private Hire Vehicle Licence is granted. The licence plates must be displayed on the outside of the vehicle in accordance with the following conditions:



- The large vehicle licence plate identifying the vehicle as a private hire vehicle (rear plate) must at all times be securely fixed externally to the rear of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.
- The small vehicle licence plate identifying the vehicle as a private hire vehicle (front plate) must at all times be securely fixed externally to the front of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.

3.8 The conditions attached to the Private Hire Vehicle Licence include the following requirement in respect of door signs:

- A magnetic or adhesive door sign must be affixed on either both front or both rear doors of the vehicle at all times when the vehicle is available for use as a private hire vehicle.

3.9 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.

3.10 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 (5) of the Local Government (Miscellaneous Provisions) Act 1976 states that where a district council grant a vehicle licence in respect of a Private Hire

Vehicle they shall issue a plate identifying that vehicle as a Private Hire Vehicle and pursuant to Section 48 (6) the plate must be exhibited on the vehicle. However the Council may exempt a vehicle from the requirement to display a plate in accordance with section 75 (3) of the Local Government (Miscellaneous Provisions) Act 1976.

- 5.4 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.
- 7.2 The display of plates and door signs provide a form of recognition and reference to members of the public that the vehicle is licensed. The absence of plates or door signs may affect the ability of members of the public to report incidents relating to the driver of the vehicle. This risk can be mitigated by the imposition of additional conditions on the Private Hire Vehicle Licence and the Private Hire Operator Licence.

## **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.

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### 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)

Council Meeting	Date

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## LICENSING PANEL

10 NOVEMBER 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 Captur, registration number LB66 WXZ as a Private Hire Vehicle, outside the following criteria for licensing Private Hire Vehicles:

- The vehicle must be capable of carrying at least 4 and not more than 8 passengers in addition to the driver.
- Where bench seats are fitted to the rear of the vehicle one person will be counted for each complete length of 16 inches measured in a straight line lengthwise along the front of the seat.

### RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Renault Captur, registration number LB66 WXZ, as a Private Hire Vehicle outside the following 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.
- Where bench seats are fitted to the rear of the vehicle one person will be counted for each complete length of 16 inches measured in a straight line lengthwise along the front of the seat.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license a Renault Captur, registration number LB66 WXZ, 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 Captur, registration number LB66 WXZ, 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.
  - Where bench seats are fitted to the rear of the vehicle one person will be counted for each complete length of 16 inches measured in a straight line lengthwise along the front of the seat.
- 3.2 In accordance with the criteria above the vehicle must be capable of carrying 3 passengers in the rear of the vehicle providing each passenger with a minimum length of 16 inches. A Licensing Officer has inspected the vehicle and identified that the rear bench seat measures 46” at the widest point which allows for less than 16 inches per passenger.
- 3.3 The Licensing Officer who inspected the vehicle also identified that the top tread entrance to the vehicle measures 42 centimetres. The criteria for licensing Private Hire Vehicles includes the following:
- Any vehicle with a top tread for the entrance which exceeds 38cm must be fitted with a step to allow easy access to and egress from the vehicle. Any vehicle that does not have a step fitted must carry a portable step to be available for use by all passengers.
- 3.4 The date of first registration of the vehicle is 31 January 2017.
- 3.5 Mr Smith has held a Private Hire Driver Licence since 12 November 2019 and his current licence is due to expire on 11 November 2025.

3.6 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.

3.7 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.

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## APPENDICES

None

## BACKGROUND PAPERS

Application form  
Records held by the Licensing Authority  
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





## LICENSING PANEL

10 NOVEMBER 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 whether to license a Ford Transit, registration number GY17 NXP as a Private Hire Vehicle, outside the current criteria for licensing Private Hire Vehicles, which states that the 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 a Ford Transit, registration number GY17 NXP, as a Private Hire Vehicle outside the current criteria for licensing Private Hire Vehicles, which states that the side and rear windows must allow at least 70% of light to be transmitted through.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received an application to license a Ford Transit, registration number GY17 NXP, 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 when 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, registration number GY17 NXP, be determined by an Officer in accordance with the current criteria for licensing Private Hire Vehicles within the Council's 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 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, Ms Karen Atherton of A Team Wirral Ltd, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The date of first registration of the vehicle is 21 August 2017.
- 3.4 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.
- 3.5 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 attach 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.

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**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)**

Council Meeting	Date

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

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of the Local Government Act 1972.

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