

LICENSING PANEL

Thursday, 18 January 2024

Present: Councillors J Stewart Laing
G Davies
B Hall

106 APPOINTMENT OF CHAIR

In the absence of the Chair and the Vice Chair, it was –

Resolved – That, Councillor J Laing be appointed Chair for this meeting.

107 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

108 PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER WA60 EWB

The Director of Law and Governance reported upon an application received to license an Iveco Ford Daily, registration number WA60 EWB, outside the current age policy for licensing Private Hire vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 31 October 2018 and the current licence was due to expire on 18 January 2024. The date of first registration of the vehicle was 15 December 2010. It was reported that should the application be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

The applicant described how the vehicle was maintained.

Resolved – That the application to license the Iveco Ford Daily, registration number WA60 EWB, as a Private Hire Vehicle be granted for six months.

109 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VOLKSWAGEN PASSAT, REGISTRATION NUMBER DE63 ZXL**

The Director of Law and Governance reported upon an application received to license a Volkswagen Passat, registration number DE63 ZXL, outside the current age policy for licensing Private Hire vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 26 October 2022 and the current licence was due to expire on 31 January 2024. The date of first registration of the vehicle was 13 December 2013. It was reported that should the application be granted; the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

The applicant described how the vehicle was maintained.

Resolved – That the application to license Volkswagen Passat, registration number DE63 ZXL, as a Private Hire Vehicle be granted for six months.

110 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT TRAFIC, REGISTRATION NUMBER MM63 ECT**

The Director of Law and Governance reported upon an application received to license a Renault Traffic, registration number MM63 ECT, outside of the current criteria for licensing Private Hire Vehicles. The vehicle was first licensed as a Private Hire Vehicle on 11 January 2019 and the current licence is due to expire on 1 February 2024. The date of first registration of this vehicle is 12 February 2014. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

The applicant described how the vehicle was maintained.

Resolved – That the application to license Renault Traffic, registration number MM63 ECT, as a Private Hire Vehicle be granted for six months.

111 **PRIVATE HIRE VEHICLE LICENCE - MERCEDES-BENZ E220, REGISTRATION NUMBER S2 MTU**

The Director of Law and Governance reported upon an application for exemption from the legal requirement to display licence plates on the vehicle and an exemption from the legal requirement to display licence plates on the vehicle, namely the Mercedes-Benz E220 registration number S2 MTU and a further exemption from displaying door signs on the vehicle as required by the conditions of the Private Hire Vehicle Licence.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to for 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 may be granted.

Private Hire Vehicle Licence:

- **All bookings must be made at least 24 hours in advance of the journey.**
- **The vehicle must only undertake work where payment is made through an invoicing system.**
- **The vehicle must only be used in circumstances where the operator has communicated with customers for each booking taken, by text or email, with the following information:**
 - **Private Hire Driver name**
 - **Private Hire Driver photograph**
 - **Private Hire Driver badge number**
 - **Private Hire Vehicle registration number.**
- **The notice exempting the vehicle from displaying private hire vehicle licence plates must be carried in the vehicle at all times.**

Private Hire Operator Licence:

- **All bookings must be made at least 24 hours in advance of the journey.**
- **Payment for all bookings must be requested through an invoicing system.**

• **The operator must communicate with customers for each booking taken, by text or email, with the following information:**

- **Private Hire Driver name**
- **Private Hire Driver photograph**
- **Private Hire Driver badge number**
- **Private Hire Vehicle registration number.**

For the avoidance of doubt, this includes drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

112 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 it involves 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 has been applied and favours exclusion.

113 PRIVATE HIRE DRIVER LICENCE APPLICATION (DAC)

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

DAC did not attend the meeting.

Resolved – That DAC attend a future meeting of the Licensing Panel should they wish to pursue their application.

114 PRIVATE HIRE DRIVER LICENCE APPLICATION (CW)

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

CW attended the meeting and made representations in respect of the application. CW responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved – That CW’s application for a Private Hire Driver Licence be granted.

115 **HACKNEY CARRIAGE DRIVER LICENCE (WMC)**

The Director of Law and Governance submitted a report for Members to consider whether WMC should continue to hold a Hackney Carriage Driver Licence.

WMC attended the meeting with his wife and made representations to the Licensing Panel. WMC and his wife responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their right to consider each case on its individual merits in light of the representations made.

In determining the matter Members also gave serious consideration to their overriding responsibility in respect of the protection and safety of the public. The Panel applied the principle of proportionality enshrined within the Human Rights Act 1998.

Resolved – That, in the interests of public safety WMC’s Hackney Carriage Driver Licence be revoked with immediate effect.