



Licensing Panel

Date: Friday, 12 April 2024

Time: 9.45 a.m.

Venue: Solar Campus

Contact Officer: Mike Jones

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Website: www.wirral.gov.uk

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

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

AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

2. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER YT63 OML (Pages 1 - 4)

3. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER BD14 JBZ (Pages 5 - 8)

4. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER BD14 DFG (Pages 9 - 12)

5. PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA

AURIS ESTATE, REGISTRATION NUMBER DE14 VFR (Pages 13 - 16)

- 6. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FIAT DUCATO, REGISTRATION NUMBER BU16 JWO (Pages 17 - 20)**
- 7. PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT TRAFIC, REGISTRATION NUMBER OU68 CGF (Pages 21 - 24)**
- 8. 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.

- 9. PRIVATE HIRE DRIVER LICENCE REVIEW (PJ) (Pages 25 - 32)**
- 10. PRIVATE HIRE DRIVER LICENCE APPLICATION (MH) (Pages 33 - 36)**
- 11. PRIVATE HIRE DRIVER LICENCE APPLICATION (CI) (Pages 37 - 40)**
- 12. PRIVATE HIRE DRIVER LICENCE APPLICATION (JBI) (Pages 41 - 56)**
- 13. PRIVATE HIRE DRIVER LICENCE APPLICATION (JBR) (Pages 57 - 68)**



LICENSING PANEL

12 APRIL 2024

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Ford Mondeo, registration number YT63 OML as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Ford Mondeo, registration number YT63 OML, 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 Ford Mondeo, registration number YT63 OML, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to license 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 Mondeo, registration number YT63 OML, 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, Gordon Cross, 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 August 2019 and the current licence is due to expire on 12 April 2024.

- 3.4 The date of first registration of this vehicle is 30 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: Helen Maddocks
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
Local Government (Miscellaneous Provisions) Act 1976
Equality Act 2010
European Environment Agency Report 2018

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	13 October 2023



LICENSING PANEL

12 APRIL 2024

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Ford Mondeo, registration number BD14 JBZ as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Ford Mondeo, registration number BD14 JBZ, 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 Ford Mondeo, registration number BD14 JBZ, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to license 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 Mondeo, registration number BD14 JBZ, 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, David Lamont, has applied to license the vehicle as a Private Hire Vehicle.

- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 21 April 2017 and the current licence is due to expire on 20 April 2024.

- 3.4 The date of first registration of this vehicle is 26 June 2014.

- 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: Helen Maddocks
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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
Local Government (Miscellaneous Provisions) Act 1976
Equality Act 2010
European Environment Agency Report 2018

TERMS OF REFERENCE

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SUBJECT HISTORY (last 3 years)

Council Meeting	Date



LICENSING PANEL

12 APRIL 2024

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Ford Mondeo, registration number BD14 DFG as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire Vehicles.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Ford Mondeo, registration number BD14 DFG, 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 Ford Mondeo, registration number BD14 DFG, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to license 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 Mondeo, registration number BD14 DFG, 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, Bernard Bennett, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 22 October 2020 and the current licence is due to expire on 21 April 2024.
- 3.4 The date of first registration of this vehicle is 23 May 2014.
- 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: Helen Maddocks
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APPENDICES

None

BACKGROUND PAPERS

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MOT pass certificate
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Local Government (Miscellaneous Provisions) Act 1976
Equality Act 2010
European Environment Agency Report 2018

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SUBJECT HISTORY (last 3 years)

Council Meeting	Date



LICENSING PANEL

12 APRIL 2024

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Toyota Auris Estate, registration number DE14 VFR 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 Auris Estate, registration number DE14 VFR, 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 Toyota Auris Estate, registration number DE14 VFR, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to license 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 Toyota Auris Estate, registration number DE14 VFR, 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, Shibu Mathew, has applied to license the vehicle as a Private Hire Vehicle.
- 3.3 The vehicle was first licensed as a Private Hire Vehicle on 18 April 2019 and the current licence is due to expire on 22 April 2024.
- 3.4 The date of first registration of this vehicle is 22 April 2014.
- 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: Helen Maddocks
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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
Local Government (Miscellaneous Provisions) Act 1976
Equality Act 2010
European Environment Agency Report 2018

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

12 APRIL 2024

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Fiat Ducato, registration number BU16 JWO as a Private Hire Vehicle, outside of the current criteria which states that Private Hire Vehicles that are wheelchair accessible and rear loading, using a tailgate system, may only be used for home to school contract work.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Fiat Ducato, registration number BU16 JWO, as a Private Hire Vehicle, outside the current criteria which states that Private Hire Vehicles that are wheelchair accessible and rear loading, using a tailgate system, may only be used for home to school contract work.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 The Licensing Authority have received an application to license a Fiat Ducato, registration number BU16 JWO, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to license 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 Fiat Ducato, registration number BU16 JWO, 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 Wirral Council must be satisfied that vehicles licensed as private hire vehicles are suitable in type, size and design for use as private hire vehicles, that it is in a suitable mechanical condition and is safe and comfortable.
- 3.2 The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence are set out in Appendix 5 of the Statement of Hackney Carriage and Private Hire Licensing Policy. This document is attached at Appendix 1 to this report.
- 3.3 In addition to the above criteria set out in Appendix 1 to this report, on 13 November 2019 the Licensing Health and Safety General Purposes Committee resolved that:
- Any vehicle to be licensed as a Private Hire Vehicle that is wheelchair accessible and is a rear loading wheelchair accessible vehicle may only be used to undertake school contract work and must load the wheelchair using a tailgate system.
- 3.4 The proprietor of the vehicle, Disability Transportation Services Ltd, has applied to license the vehicle as a Private Hire Vehicle without the restriction that it may only be used to undertake home to school contract work. Disability Transportation Services Ltd were issued a Private Hire Operator Licence on 26 October 2023 and the licence is due to expire on 25 October 2028.
- 3.5 The date of first registration of this vehicle is 3 March 2016.
- 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: Helen Maddocks
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APPENDICES

None

BACKGROUND PAPERS

Application form
MOT pass certificate
Compliance Test pass certificate
Licensing Health and Safety General Purposes Committee minutes – 13 November 2019
Statement of Hackney Carriage and Private Hire Licensing Policy
Local Government (Miscellaneous Provisions) Act 1976
Equality Act 2010
European Environment Agency Report 2018

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

12 APRIL 2024

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Renault Trafic, registration number OU68 CGF as a Private Hire Vehicle, outside of the current criteria which states that Private Hire Vehicles that are wheelchair accessible and rear loading, using a tailgate system, may only be used for home to school contract work.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Renault Trafic, registration number OU68 CGF, as a Private Hire Vehicle, outside the current criteria which states that Private Hire Vehicles that are wheelchair accessible and rear loading, using a tailgate system, may only be used for home to school contract work.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 The Licensing Authority have received an application to license a Renault Trafic, registration number OU68 CGF, outside of the current criteria for licensing Private Hire Vehicles. It is a delegated function of the Licensing Panel to determine whether to license 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 Renault Trafic, registration number OU68 CGF, 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 Wirral Council must be satisfied that vehicles licensed as private hire vehicles are suitable in type, size and design for use as private hire vehicles, that it is in a suitable mechanical condition and is safe and comfortable.
- 3.2 The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence are set out in Appendix 5 of the Statement of Hackney Carriage and Private Hire Licensing Policy. This document is attached at Appendix 1 to this report.
- 3.3 In addition to the criteria set out in Appendix 1 to this report, on 13 November 2019 the Licensing Health and Safety General Purposes Committee resolved that:
- Any vehicle to be licensed as a Private Hire Vehicle that is wheelchair accessible and is a rear loading wheelchair accessible vehicle may only be used to undertake school contract work and must load the wheelchair using a tailgate system.
- 3.4 The proprietor of the vehicle, Disability Transportation Services Ltd, has applied to license the vehicle as a Private Hire Vehicle without the restriction that it may only be used to undertake home to school contract work. Disability Transportation Services Ltd were issued a Private Hire Operator Licence on 26 October 2023 and the licence is due to expire on 25 October 2028.
- 3.5 The date of first registration of this vehicle is 3 March 2016.
- 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.

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APPENDICES

None

BACKGROUND PAPERS

Application form
MOT pass certificate
Compliance Test pass certificate
Licensing Health and Safety General Purposes Committee minutes – 13 November 2019
Statement of Hackney Carriage and Private Hire Licensing Policy
Local Government (Miscellaneous Provisions) Act 1976
Equality Act 2010
European Environment Agency Report 2018

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, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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