

LICENSING PANEL

Friday, 13 September 2024

Present: Councillors L Luxon-Kewley (Chair)

S Bennett
A Hodson
C McDonald

28 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.

29 PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES V CLASS, REGISTRATION NUMBER MJ20 XNN

The Director of Law and Corporate Services submitted a report for the Licensing Panel to consider a request to license a Mercedes V Class, Registration number MJ20 XNN as a Private Hire Vehicle outside of the current criteria which states that the front windscreen must allow at least 75% of light through, the front side windows must allow at least 70% of light through and the windows rear of the B-pillar must allow a minimum light transmission of 30%.

The proprietor also requested an exemption from the requirement to display Private Hire Vehicle Licence Plates on this vehicle. It was a legal requirement that when a Private Hire Vehicle Licence was granted, the council must issue a plate or disc identifying that vehicle as a Private Hire Vehicle.

The vehicle had been tested at one of the authorised testing stations and a copy of the test certificates was made available in advance of the meeting.

The applicant attended the meeting with the vehicle which the Licensing Panel inspected.

Resolved –

(1) That the application to license the Mercedes V Class, registration number MJ20 XNN as a Private Hire Vehicle, outside of the criteria for licensing Private Hire Vehicles which states that the front windscreen

must allow at least 75% of light through, the front side windows must allow at least 70% of light through and the windows rear of the B-pillar must allow a minimum light transmission of 30%, be granted.

(2) That the request from the proprietor to exempt the Mercedes V Class, Registration number MJ20 XNN from the requirement to display Private Hire Vehicle Licence Plates on this vehicle be granted.

(3) That the following conditions be attached to the Private Hire Vehicle Licence with the following conditions:

- All bookings for the vehicle must be made at least 24 hours in advance.
- 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, the above conditions also apply in respect of drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

- The exemption notice provided by the council must be retained in the vehicle at all times
- The badge identifying the Private Hire Driver of the vehicle must be displayed in a prominent position in the vehicle where it can easily be seen by passengers
- The vehicle licence plates must be retained within the vehicle at all times

30 **PRIVATE HIRE VEHICLE LICENCE - FORD C-MAX, REGISTRATION NUMBER LX18 SZV**

The Director of Law and Corporate Services submitted a report for the Licensing Panel to consider an application to amend a condition attached to a current Private Hire Vehicle Licence namely a Ford C-Max, registration

number LX18 SZV to increase the number of passengers permitted to be carried in the vehicle from four to six.

The Licensing Manager reminded Members that the current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence included the following: All doors must be easily accessible to all passengers and capable of being opened from inside.

The vehicle was issued with a Private Hire Vehicle Licence to carry four passengers on 12 August 2024. The V5 Logbook for the vehicle states that the number of seats within the vehicle is seven. The date of first registration of this vehicle is 30 June 2019.

The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates were provided in advance of the meeting.

The Licensing Manager spoke of the 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 for six passengers.

The proprietor attended the meeting with the vehicle which the Licensing Panel inspected. The proprietor explained to the panel that they only undertook school contract work, and the increase was to accommodate more passengers for this purpose.

Resolved – That:

The application to amend a condition attached to the Ford C-Max, registration number LX18 SZV current Private Hire Vehicle Licence to increase the number of passengers permitted to be carried in the vehicle from four to six, be changed to an increase from four to five, with the following conditions:

- **The middle seat in the back of the vehicle is to be removed in its entirety. Upon completion the vehicle will need to be re-inspected by licensing officers.**
- **Once the seat is removed the proprietor must ensure the now empty space where the middle seat once was must not be used by passengers to store their luggage.**
- **Following compliance with the above requirements a new Private Hire Vehicle Licence will be issued restricting the use of the vehicle to school contract work.**

31 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

32 **PRIVATE HIRE DRIVER LICENCE REVIEW (JOC)**

Councillor Hodson chaired this item on the agenda.

The Director of Law and Corporate Services submitted a report for Members to consider whether JOC was a fit and proper person to continue to hold a Private Hire Driver Licence.

JOC attended the meeting and made representations to the Licensing Panel JOC 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 the case on its individual merits in light of the representations made.

Resolved – That:

- 1. JOC be allowed to continue to hold a Private Hire Driver Licence.**
- 2. JOC must successfully complete the next available NVQ Level 2 in Road Passenger Transport VRQ. The date of this to be communicated to JOC by the Licensing Authority.**
- 3. JOC be issued with a written warning from the Licensing Panel in respect of his future conduct and driving standards**