



## Licensing Panel

**Date:** Friday, 15 April 2016

**Time:** 9.45 am

**Venue:** Committee Room 3 - Wallasey Town Hall

**Contact Officer:** Anne Beauchamp

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## 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. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR - PART 1**

To consider any other business that the Chair accepts as being urgent.

**3. HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION LTI TXI, REGISTRATION NUMBER W685 UGU (Pages 1 - 4)**

**4. PRIVATE HIRE VEHICLE - MERCEDES E220, REGISTRATION NUMBER SR65 XSR (Pages 5 - 8)**

**5. PRIVATE HIRE LICENCE - MERCEDES E220, REGISTRATION NUMBER GY YTN (Pages 9 - 12)**

**6. 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 I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

7. **PRIVATE HIRE LICENCE (CB) (Pages 13 - 16)**
8. **PRIVATE HIRE LICENCE (AMG) (Pages 17 - 20)**
9. **PRIVATE HIRE LICENCE ( SL) (Pages 21 - 24)**
10. **PRIVATE HIRE DRIVER LICENCE - CONVICTION (PJLO) (Pages 25 - 28)**
11. **HACKNEY CARRIAGE DRIVER LICENCE - APPLICATION (SJY) (Pages 29 - 32)**
12. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR - PART 2**

To consider any other business that the Chair accepts as being urgent.



## LICENSING PANEL

15 APRIL 2016

<b>REPORT TITLE</b>	<b>HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

### REPORT SUMMARY

The purpose of this report is for Members to consider an application to license the following vehicle, namely a LTI TXI, registration number W685 UGU, as a Hackney Carriage Vehicle.

### RECOMMENDATION/S

That members consider whether or not to license the vehicle registration number W685 UGU as a Hackney Carriage Vehicle.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is the delegated authority of this Panel to determine applications for Hackney Carriage Vehicle Licences where the vehicle cannot comply with the current criteria for licensing Hackney Carriage Vehicles.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence is as follows:

- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

- 3.2 On 22 May 2013 Members of the Licensing Health and Safety and General Purposes Committee resolved that:

In circumstances when a Hackney Carriage Vehicle proprietor wishes to change a Hackney Carriage Vehicle that is currently licensed to a different vehicle, the replacement vehicle must be the same age or less than the vehicle that is currently licensed up to a maximum of ten years old. Vehicles that are ten years old or more must be replaced by a vehicle that is no more than ten years old and that this Policy is to have immediate effect.

The Licensing Panel be delegated with the authority to act outside this policy.

- 3.3 In accordance with the resolution in paragraph 3.2 Members are asked to consider the application submitted by the applicant to change a Hackney Carriage Vehicle. The date of first registration of the vehicle subject of the application is 10 March 2000. The vehicle is therefore sixteen years old.

- 3.4 The vehicle that is currently licensed is seventeen years old.
- 3.5 Members are asked to consider the application and determine if there is good reason to act outside of the current policy and license the vehicle, registration number W685 UGU as a Hackney Carriage Vehicle.
- 3.4 The vehicle has been examined at one of the Council's authorised testing stations and the pass certificate will be available at the meeting.

**4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no specific implications arising from this report.

**5.0 LEGAL IMPLICATIONS**

- 5.1 A decision of this Panel can be subject to appeal.

**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 Community Safety implications arising out of this report due to the safety aspects of Hackney Carriage Vehicles.

**8.0 ENGAGEMENT/CONSULTATION**

- 8.1 This is not a matter that requires consultation.

**9.0 EQUALITY IMPLICATIONS**

- 9.1 There are no specific implications arising from this report.

**REPORT AUTHOR:** Margaret Calvert  
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**REFERENCE MATERIAL**

Vehicle Licence application form  
 MOT certificate  
 Compliance pass certificate

**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date

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## LICENSING PANEL

15 APRIL 2016

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

## REPORT SUMMARY

The purpose of this report is to consider an application to exempt the following vehicle: a Mercedes E220, registration number SR65 XSR, from displaying Private Hire Vehicle Licence plates and to exempt the driver of the vehicle from wearing his Private Hire Driver Badge.

## RECOMMENDATION/S

That the Panel consider whether or not to provide the proprietor of the vehicle registration number SR65 XSR with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicle and from the requirement to wear a Private Hire Driver Badge.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is a delegated function of this Panel to determine matters relating to Private Hire Licences where officers do not have delegated authority.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The vehicle is currently licensed as a Private Hire Vehicle and is subject to the conditions attached to that licence.
- 3.2 The proprietor of the vehicle has requested an exemption from displaying the plates on the vehicle and from wearing a Private Hire Driver Badge due to the type of work he undertakes. The applicant states that he intends to undertake chauffeuring work which is booked in advance and for which he will be paid by bank credit transfers. Full details are provided in an email submitted by him and this will be available at the meeting.
- 3.3 The Council may exempt a vehicle from the requirement to display a plate or wear a badge in accordance with section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 which states:
- (3) Where a licence under section 48 of this Act is in force for a vehicle, the council which issued the licence may, by notice in writing given to the proprietor of the vehicle, provide that paragraph (a) of subsection (6) of that section shall not apply to the vehicle on any occasion specified in the notice or shall not apply while the notice is in the vehicle; and on any occasion on which by virtue of this subsection that paragraph does not apply to a vehicle section 54(2)(a) of this Act shall not apply to the driver of the vehicle.
- 3.4 This provides that a notice can be given by the Council that removes the need to display a plate and also dispenses with the requirement contained in section 54(2) of the Act that the driver should wear his badge in such a position and manner as to be plainly and distinctly visible.

### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no specific implications arising from this report.

### **5.0 LEGAL IMPLICATIONS**

- 5.1 A decision of this Panel can be subject to appeal.

### **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 The display of plates and badges provide a form of recognition and reference to members of the public that the vehicle and driver are licensed. The absence of plates or badges may affect the ability of members of the public to report incidents relating to the driver of the vehicle.

## 8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

## 9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

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## REFERENCE MATERIAL

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## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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## LICENSING PANEL

15 APRIL 2016

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

### REPORT SUMMARY

The purpose of this report is to consider an application to exempt the following vehicle: a Mercedes E220, registration number G9 YTN, from displaying Private Hire Vehicle Licence plates and to exempt the driver of the vehicle from wearing his Private Hire Driver Badge.

### RECOMMENDATION/S

That the Panel consider whether or not to provide the proprietor of the vehicle registration number G9 YTN with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicle and from the requirement to wear a Private Hire Driver Badge.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is a delegated function of this Panel to determine matters relating to Private Hire Vehicle Licences where officers do not have delegated authority.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The vehicle is not currently licensed as a Private Hire Vehicle.
- 3.2 The proprietor of the vehicle has requested an exemption from displaying the plates on the vehicle and from wearing a Private Hire Driver Badge due to the type of work he undertakes. The applicant states that he is looking to move into the executive market as most of his clients are business people. Full details are provided in a letter submitted by him and this will be available at the meeting.
- 3.3 The Council may exempt a vehicle from the requirement to display a plate or wear a badge in accordance with section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 which states:
- (3) Where a licence under section 48 of this Act is in force for a vehicle, the council which issued the licence may, by notice in writing given to the proprietor of the vehicle, provide that paragraph (a) of subsection (6) of that section shall not apply to the vehicle on any occasion specified in the notice or shall not apply while the notice is in the vehicle; and on any occasion on which by virtue of this subsection that paragraph does not apply to a vehicle section 54(2)(a) of this Act shall not apply to the driver of the vehicle.
- 3.4 This provides that a notice can be given by the Council that removes the need to display a plate and also dispenses with the requirement contained in section 54(2) of the Act that the driver should wear his badge in such a position and manner as to be plainly and distinctly visible.

### **4 FINANCIAL IMPLICATIONS**

- 4.0 There are no specific implications arising from this report.

### **5.0 LEGAL IMPLICATIONS**

- 5.0 A decision of this Panel can be subject to appeal.

### **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 The display of plates and badges provide a form of recognition and reference to members of the public that the vehicle and driver are licensed. The absence of plates or badges may affect the ability of members of the public to report incidents relating to the driver of the vehicle.

## 8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

## 9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

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## REFERENCE MATERIAL

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## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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