

# LICENSING PANEL

Friday, 9 December 2016

|                  |             |                       |                               |
|------------------|-------------|-----------------------|-------------------------------|
| <u>Present:</u>  | Councillor  | WJ Davies (Chair)     |                               |
|                  | Councillors | RL Abbey<br>P Stuart  | D Burgess-Joyce<br>D Mitchell |
| <u>Apologies</u> | Councillors | D Roberts<br>A Hodson |                               |

## 50 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.

## 51 PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL VECTRA, REGISTRATION NUMBER YB06 POA

The Managing Director for Delivery reported upon an application to re-license a Vauxhall Vectra, registration number YB06 POA, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been licensed as a private hire vehicle since 2 October 2014 and the current licence was due to expire on 27 December 2016. The vehicle had passed the compliance test necessary for a licence to be issued.

The owner of the vehicle was present along with her vehicle, which Members of the Panel inspected.

**Resolved – That the application to re-license the Vauxhall Vectra, registration number YB06 POA, be granted for a further six months.**

## 52 PRIVATE HIRE VEHICLE LICENCE APPLICATION - HYUNDAI TRAJET, REGISTRATION NUMBER YB56 AOY

The Managing Director for Delivery reported upon an application to re-license a Hyundai Trajet, registration number YB56 AOY, beyond the normal over-age date for a licensed private hire vehicle. The date of first registration of the vehicle was 21 December 2006. It had been licensed as a private hire vehicle since 15 June 2015 and the current licence was due to expire on 14 December 2016. The vehicle had passed the compliance test necessary for a licence to be issued.

The owner of the vehicle was present at the meeting with his vehicle, which Members of the Panel inspected.

**RESOLVED: That:**

- (1) The application to re-licence the Hyundai Trajet, registration number YB56 AOY, be granted for a further six months.**
- (2) A Conditions Notice be issued in respect of remedial work to be carried out on the vehicle.**

**53 PRIVATE HIRE VEHICLE LICENCE - DS5, REGISTRATION NUMBER YH66 OAV**

The Managing Director for Delivery reported upon an application to exempt the following licensed Private Hire Vehicle: a DS5, registration number YH66 OAV, from displaying doorsigns when being used to fulfil a contract with licensed chauffeur companies.

There were currently two licensed operators who undertook work they described as chauffeur work and operated vehicles under conditions which exempted the vehicles from displaying plates and doorsigns. The vehicles were non-standard luxury vehicles used for occasional special journeys.

The vehicle was presented at the meeting, which Members of the Panel inspected.

**RESOLVED:**

**That the application to exempt the DS5, registration number YH66 OAV, from displaying doorsigns when being used to fulfil a contract with licensed chauffeur companies, be granted.**

**54 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.**

**55 PRIVATE HIRE DRIVER LICENCE - APPLICATION (DRH)**

The Managing Director for Delivery reported on an application from Mr DRH to consider whether he should be granted a Private Hire Driver Licence.

This item was adjourned.

**56 PRIVATE HIRE DRIVER LICENCE - APPLICATION (JRB)**

The Managing Director for Delivery reported upon an application received by Mr JRB for the grant of a Private Hire Driver Licence. Mr JRB attended the meeting and made representations in respect of his application for a Private Hire Driver Licence.

Mr JRB responded to questions from the Panel.

Members considered the representations made by Mr JRB regarding the nature of his convictions. Members had due regard to their Policy in considering this matter.

Members applied the principle of proportionality enshrined within the Human Rights Act 1998 and considered that the protection and safety of members of the public was of paramount concern.

**RESOLVED:**

**That Mr JRB's application for the grant of a Private Hire Driver Licence be refused.**

57 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (JCH)**

The Managing Director for Delivery reported upon an application from Mr JCH for the grant of a Private Hire Driver Licence. Mr JCH attended the meeting and made representations in respect of his application for the grant of a Private Hire Driver Licence.

Members considered the representations made by Mr JCH regarding the nature and number of his convictions. Members had regard to their Policy and on this occasion were not persuaded to act outside of their Policy.

Members applied the principle of proportionality enshrined within the Human Rights Act 1998 and considered that the protection and safety of members of the public was of paramount concern.

**RESOLVED:**

**That Mr JCH's application for the grant of a Private Hire Driver Licence be refused.**

58 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (DN)**

The Managing Director for Delivery reported upon an application by Mr DN for the grant of a Private Hire Driver Licence.

Mr DN attended the meeting and made representations in respect of his application.

Members gave due consideration to Mr DN's representations.

Members applied the principle of proportionality enshrined within the Human Rights Act 1998 and considered that the protection and safety of members of the public was of paramount concern.

Members had regard to their Policy, however, after careful consideration of the representations made, exercised their right to consider each case on its own merits and on this occasion, Members were persuaded to act outside of their Policy in determining this application.

**RESOLVED:**

**That Mr DN's application for the grant of a Private Hire Driver Licence be agreed.**

59 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (CDN)**

The Managing Director for Delivery reported upon an application received by Mr CDN for the grant of a Private Hire Driver Licence. Mr CDN attended the meeting and made representations in respect of his application for a Private Hire Driver Licence.

Members considered the representations made by Mr CDN regarding the nature of his convictions. Members had regard to their Policy and on this occasion were not persuaded to act outside their Policy.

Members applied the principle of proportionality enshrined within the Human Rights Act 1998 and considered that the protection and safety of members of the public was of paramount concern.

**RESOLVED:**

**That Mr CDN's application for the grant of a Private Hire Driver Licence be refused.**

60 **PRIVATE HIRE DRIVER LICENCE - APPLICATION (JJS)**

The Managing Director for Delivery reported upon an application received by Mr JJS for the grant of a Private Hire Driver Licence. Mr JJS attended the meeting and made representations in respect of his application for a Private Hire Driver Licence.

Members considered the representations made by Mr JJS regarding the nature of his convictions as well as other material relevant to his application.

Members had regard to their Policy, however, after careful consideration of the representations made, exercised their right to consider each case on its own merits and on this occasion, Members were persuaded to act outside of their Policy in determining this application.

**RESOLVED:**

**That Mr JJS' application for the grant of a Private Hire Driver Licence be approved.**