

# LICENSING PANEL

Friday, 16 February 2018

Present:

Councillors C Meaden  
P Stuart  
A Hodson

Apologies:

Councillors B Davies  
R Abbey  
D Burgess-Joyce  
D Mitchell

105 **APPOINTMENT OF CHAIR**

In the absence of the Chair, it was -

**Resolved - That Councillor Paul Stuart be appointed Chair for this meeting.**

106 **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.

107 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA AVENSIS, REGISTRATION NUMBER NM06 ZDN**

The Managing Director for Delivery reported upon an application received to re-licence a Toyota Avensis, registration number NM06 ZDN, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been licensed as a private hire vehicle since 21 May 2014 and the current licence was due to expire on 10 February 2018, however it had been extended to the date of this meeting. On expiry of previous licences on 10 August 2016, 10 February 2017 and 10 August 2017 applications to grant further six month licences had been granted by the Licensing Panel. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

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

**Resolved – That the application to re-licence the Toyota Avensis, registration number NM06 ZDN be granted for a further six months.**

108 **PRIVATE HIRE VEHICLE LICENCE - APPLICATION TO FIT A TRAILER - FORD GALAXY, REGISTRATION NUMBER AJ10 ZNN**

The Managing Director for Delivery reported upon an application received to allow a trailer to be fitted to licensed Private Hire Vehicle Ford Galaxy, registration number AJ10 ZNN.

On 20 September 2017 Members of the Licensing, Health and Safety and General Purposes Committee approved revised Private Hire Vehicle Licence Conditions stating that private hire vehicles are not permitted to use roof racks, roof boxes or trailers whilst being used for hire and reward purpose. The proprietor of the vehicle had requested an exemption from this condition to allow him to fit a trailer to his vehicle when required.

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

**Resolved –**

- (1) That the application to allow a trailer to be fitted to this vehicle, registration number AJ10 ZNN be granted subject to the applicant passing the car and trailer driving test.**
- (2) That the Private Hire Vehicle Licence plate must be displayed clearly on the rear of the trailer.**
- (3) That delegated authority be given to Licensing Officers to allow an exemption to the condition prohibiting trailers in circumstances where the Private Hire licensed driver of the vehicle as passed the car and trailer driving test.**

109 **PRIVATE HIRE VEHICLE LICENCE - APPLICATION TO FIT A TRAILER - RENAULT TRAFIC, REGISTRATION NUMBER DG59 LPJ**

The Managing Director for Delivery reported upon an application received to allow a trailer to be fitted to licensed Private Hire Vehicle Renault Trafic, registration number DG59 LPJ.

On 20 September 2017 Members of the Licensing, Health and Safety and General Purposes Committee approved revised Private Hire Vehicle Licence Conditions stating that private hire vehicles are not permitted to use roof racks, roof boxes or trailers whilst being used for hire and reward purpose. The proprietor of the vehicle had requested an exemption from this condition to allow her to fit a trailer to his vehicle when required.

The owner of the vehicle was present at the meeting with her vehicle which members of the Panel inspected.

**Resolved** –

- (1) That the application to allow a trailer to be fitted to this vehicle, registration number DG59 LPJ be granted subject to the applicant passing the car and trailer driving test.
- (2) That the Private Hire Vehicle Licence plate must be displayed clearly on the rear of the trailer.
- (3) That delegated authority be given to Licensing Officers to allow an exemption to the condition prohibiting trailers in circumstances where the Private Hire licensed driver of the vehicle as passed the car and trailer driving test.

110 **HACKNEY CARRIAGE VEHICLE LICENCE - APPLICATION TO FIT A TRAILER - MERCEDES M8, REGISTRATION NUMBER PL10 DYU**

The Managing Director for Delivery reported upon an application received to allow a trailer to be fitted to licensed Hackney Carriage Vehicle Mercedes M8, registration number PL10 DYU.

On 20 September 2017 Members of the Licensing, Health and Safety and General Purposes Committee approved revised Private Hire Vehicle Licence Conditions stating that private hire vehicles are not permitted to use roof racks, roof boxes or trailers whilst being used for hire and reward purpose. The proprietor of the vehicle had requested an exemption from this condition to allow him to fit a trailer to his vehicle when required.

The owner of the vehicle did not attend the meeting.

**Resolved** – That the applicant be instructed to attend a future meeting of the Licensing Panel should he wish to pursue his application.

111 **PRIVATE HIRE VEHICLE LICENCE - VAUXHALL ZAFIRA, REGISTRATION NUMBER DA13 ZCT**

The Managing Director for Delivery reported upon an application received to license a Vauxhall Zafira as a private hire vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

This matter was withdrawn prior to the meeting.

**Resolved** – That the applicant be instructed to attend a future meeting of the Licensing Panel should he wish to pursue his application.

112 **PRIVATE HIRE VEHICLE LICENCE - MERCEDES E220, REGISTRATION NUMBER SR65 XSR**

The Managing Director for Delivery reported upon an application received 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.

The owner of the vehicle was present at the meeting together with his representative Mr Nelson and with his vehicle which members of the Panel inspected. He advised Members that he had made the application due to the type of work he undertakes which was chauffeur work booked in advance and for which he would be paid by bank credit transfers.

**Resolved –**

- (1) That 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 be granted.**
- (2) That the applicant must wear his Private Hire Badge and display his badge inside the vehicle.**
- (3) That further to bookings made, the applicant text his customers including a picture of himself and his vehicle, his name, badge number and vehicle registration number.**
- (4) That the applicant only be permitted to undertake work through the invoicing system as described.**
- (5) That officers be delegated to amend licence conditions in accordance with the above decision.**

**113 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 the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act.**

**114 PRIVATE HIRE DRIVER LICENCE AND HACKNEY CARRIAGE DRIVER LICENCE - SMCG**

The Managing Director for Delivery submitted a report for Members to consider whether Mr SMcG should continue to hold a Private Hire Driver Licence and a Hackney Carriage Driver Licence. Mr SMcG attended the meeting and made representations.

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

**Resolved -**

- (1) That Mr SMcG be allowed to continue to hold a Private Hire Driver Licence and a Hackney Carriage Driver Licence.**
- (2) That Mr SMcG be issued with a written warning as to his future conduct.**

115 **PRIVATE HIRE DRIVER LICENCE - NJM**

The Managing Director for Delivery submitted a report for Members to consider whether Mr NJM should continue to hold a Private Hire Driver Licence. Mr NJM attended the meeting and made representations.

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

**Resolved** -

- (1) That Mr NJM be allowed to continue to hold a Private Hire Driver Licence.**
- (2) That Mr NJM successfully complete a Driver Awareness Course by 31 March 2018.**
- (3) That Mr NJM be issued with a written warning as to his future conduct.**

116 **PRIVATE HIRE DRIVER LICENCE - PRD**

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

Members considered the representations made by Mr PRD.

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

117 **PRIVATE HIRE DRIVER LICENCE - SMCC**

The Managing Director for Delivery reported upon an application received by Mr SMcC for the grant of a Private Hire Driver Licence. Mr SMcC attended the meeting together with a representative from Severns Taxis in support and made representations in respect of his application for a Private Hire Driver Licence.

Members considered the representations made by Mr SMcC regarding the nature of his convictions as well as other material information relevant to his application. Members had regard to their Policy and on this occasion were not persuaded to act outside their Policy.

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 and felt that in seeking to ensure the legitimate aim of the protection of the public the decision made to refuse the application was justified in the circumstances.

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

**118 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES - AGH**

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

Members considered the representations made by Mr AGH.

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 Mr AGH's application for the grant of a Private Hire Driver Licence and a Hackney Carriage Driver Licence be approved.**

**119 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES - NMA**

The Managing Director for Delivery submitted a report for Members to consider whether Mr NMA remained a fit and proper person to continue to hold his Private Hire Driver Licence.

Mr NMA attended the meeting and made representations in respect of the report.

Members considered carefully the representations and the explanations given by Mr NMA however, they did not consider that he was a fit and proper person to continue to hold a Private Hire Driver Licence.

In coming to their determination the Panel applied the principle of proportionality enshrined within the Human Rights Act 1998. In doing so, Members felt that the protection and safety of the public was of paramount concern.

**Resolved - That Mr NMA's Private Hire Driver Licence be revoked with immediate effect.**