

# LICENSING PANEL

Friday, 9 March 2018

Present:

Councillors    C Meaden  
                      P Stuart  
                      J Stapleton (for R Abbey)

## 120    **APPOINTMENT OF CHAIR**

In the absence of the Chair it was –

**Resolved – That Councillor P Stuart be appointed Chair for this meeting.**

## 121    **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.

## 122    **APPLICATION FOR A STREET COLLECTION PERMIT**

The Managing Director for Delivery reported that three applications had been made from the following charitable organisations: Claire House Children's Hospice, North West Air Ambulance and Merseyside and Cheshire Blood Bikes to undertake street collections on Coastal Drive, New Brighton during the 'Egg Run' event on Sunday 18 March 2018.

As there was more than one request for a street collection permit for the same location and on a day other than a Saturday, the applications could not be determined under delegated powers. Details of the applicants and number of persons collecting were provided.

**Resolved – That the applications for Street Collection Permits in respect of Claire House Children's Hospice, North West Air Ambulance and Merseyside and Cheshire Blood Bikes be granted.**

## 123    **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER SJ08 UJX**

The Managing Director for Delivery reported upon an application received to re-licence a Ford Mondeo, registration number SJ08 UJX, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been previously licensed as a private hire vehicle from 23 December 2009 until 22 December 2015 and again from 21 April 2017 and the current licence was due to expire on 1 March 2018, however it had been extended to the date of this meeting. 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 Ford Mondeo, registration number SJ08 UJX be granted for a further six months.**

**124 PRIVATE HIRE VEHICLE LICENCE APPLICATION - VW TRANSPORTER, REGISTRATION NUMBER XKZ 4625**

The Managing Director for Delivery reported upon an application received to re-licence a VW Transporter, registration number XKZ 4626, beyond the normal over-age date for a licensed private hire vehicle.

The applicant was unable to 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.**

**125 HACKNEY CARRIAGE VEHICLE LICENCE - FORD PROCAB - APPLICATION TO LICENSE TWO FRONT SEAT PASSENGERS**

The Managing Director for Delivery reported on an application received to license a Ford Procab as a hackney carriage vehicle to carry eight passengers, two passengers being carried in the front.

Members were informed that Members of the Licensing Panel approved the Ford Procab to be licensed as a Hackney Carriage Vehicle for seven passengers on 21 July 2017, however only one passenger could be carried in the front of the vehicle due to the design of the centre console.

The centre console had been redesigned with the control panel being moved higher up from its position below the gear stick at the request of the proprietor of the vehicle.

The applicant attended the meeting with his vehicle which Members of the Panel inspected.

**Resolved – That the Ford Procab be licensed as a hackney carriage vehicle to carry eight passengers, two passengers being carried in the front.**

**126 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. The Public Interest test had been applied and favoured exclusion.**

127 **PRIVATE HIRE DRIVER LICENCE (AA)**

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

Members considered the representations made by Mr AA regarding the number and 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 AA's application for the grant of a Private Hire Driver Licence be refused.**

128 **PRIVATE HIRE DRIVER LICENCE (WMCD)**

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

Members considered the representations made by Mr WMcD.

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

129 **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES (RJL)**

The Managing Director for Delivery submitted a report for Members to consider whether Mr RJL should continue to hold a Private Hire and a Hackney Carriage Driver Licence.

Mr RJL did not attend the meeting.

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

130 **PRIVATE HIRE DRIVER LICENCE (MMR)**

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

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

Members considered carefully the representations and the explanations given by Mr MMR 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 MMR's Private Hire Operator Licence be revoked.**