

LICENSING PANEL

Friday, 13 April 2018

Present: Councillors P Stuart D Mitchell
D Burgess-Joyce

131 APPOINTMENT OF CHAIR

In the absence of the chair, it was

Resolved:

That Councillor P Stuart be appointed Chair for this meeting.

132 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 of the agenda and state the nature of the interest.

No such declarations were made.

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

The Managing Director for Delivery reported on an application received to licence a VW Transporter, registration number XKZ 4625, beyond the normal over-age date for licensed private hire vehicle. The vehicle had been examined at one of the Council's authorised testing stations the pass certificate was available for Members.

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

Resolved:

That the application to licence the VW Transporter, registration number XKZ 4625 be granted for a further six months.

134 PRIVATE HIRE VEHICLE LICENCE - MERCEDES V250D, REGISTRATION NUMBER WG66 TKU

The Managing Director for Delivery reported on an application received to licence a Mercedes V250D, registration WG66 TKU 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. The application also requested that the vehicle be exempt from displaying Private Hire Vehicle Licence plates and to exempt the drivers of the vehicle from wearing a Private Hire Driver Badge.

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

Members considered the representations made by the applicant in respect of the type of work that would be undertaken using the vehicle which required privacy for clients.

Resolved:

That the application to licence the Mercedes V250D, registration WG66 TKU be granted.

That the following additional conditions be attached to the licence.

- (1) The driver's private hire licence ID badge and the private hire licence plates be kept in the vehicle for inspection at all times.**
- (2) Email booking confirmations must be sent to clients in advance of their journey and must include a photo and licence details of the driver who will undertake the work.**

135 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.

136 PRIVATE HIRE DRIVER LICENCE - LRH

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

Members considered the representations made by Mr LRH.

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

Resolved (3:1):

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

137 HACKNEY CARRIAGE DRIVER LICENCE - ALJ

The Managing Director for Delivery reported upon an application received from Mr ALJ to consider whether he should be granted a Hackney Carriage Driver Licence.

Mr ALJ did not attend the meeting.

Resolved:

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

138 PRIVATE HIRE VEHICLE OPERATOR - ATW

The Managing Director for Delivery submitted a report for Members to consider whether ATW should be allowed to continue to hold a Private Hire Operator Licence.

The director of the company and her legal representative attended the meeting and made representations in respect of the report submitted.

Members gave due consideration to representations made on behalf of ATW, deliberated at length and exercised their rights to consider each case on its individual merits.

Resolved:

(1) That ATW be allowed to continue to hold a Private Hire Operator Licence.

(2) That the director be issued with a written warning as to the future operation of the business.

(3) That should any further form of non-compliance of the licensing laws be found that they are reported to the Licensing Panel.

139 PRIVATE HIRE OPERATOR LICENCE - APPLICATION - CJT

The Managing Director for Delivery submitted a report for Members to consider whether Mr CJT should be approved to hold a Private Hire Operator Licence.

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

Members gave due consideration to Mr CJT's representations, deliberated at length and exercised their rights to consider each case on its individual merits.

Resolved:

That Mr CJT's application for a Private Hire Operator Licence be refused.

140 PRIVATE HIRE DRIVER LICENCE - ALH

The Managing Director for Delivery submitted a report for Members to consider whether Mr ALH should be allowed to continue to hold his Private Hire Driver Licence.

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

Members considered the representations made by Mr ALH.

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

In determining this matter Members had regard to the relevant provisions of the Local Government Miscellaneous Provisions Act 1976.

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:

- (1) That Mr ALH be allowed to continue to hold a Private Hire Driver Licence.**
- (2) That Mr ALH be issued with a written warning as to his future conduct.**
- (3) That Mr ALH attend and successfully complete a suitable training course.**

141 PRIVATE HIRE DRIVER AND PRIVATE HIRE OPERATOR LICENCES - MRW

The Managing Director for Delivery submitted a report for Members to consider whether Mr MRW should be allowed to continue to hold his Private Hire Operator Licence and/or his Private Hire Driver Licence.

Mr MRW and his legal representative attended the meeting and made representations in respect of the report submitted.

Members gave due consideration to the representations made, deliberated at length and exercised their rights to consider each case on its individual merits.

In determining this matter Members had regard to the relevant provisions of the Local Government Miscellaneous Provisions Act 1976.

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 MRW's Private Hire Driver Licence be suspended with immediate effect pending the successful completion of a suitable training course.