

LICENSING PANEL

Friday, 10 August 2018

Present:

Councillors	C Meaden	D Burgess-Joyce
	A Hodson	D Mitchell

Apologies:

Councillors	R Abbey
	P Stuart
	M Sullivan

24 **APPOINTMENT OF CHAIR**

Resolved – That Councillor A Hodson be appointed Chair for this meeting.

25 **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.

26 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA PRIUS, REGISTRATION NUMBER SD58 CPN**

The Corporate Director for Business Management reported upon an application received to re-licence a Toyota Prius, registration number SD58 CPN, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been licensed as a private hire vehicle since 21 August 2013 and the current licence was due to expire on 20 August 2018. 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 Prius, registration number SD58 CPN be granted for a further six months.

27 **PRIVATE HIRE VEHICLE LICENCE APPLICATION (4 VEHICLES)**

The Corporate Director for Business Management reported upon an application received to licence four Iveco Daily vehicles, Registration Numbers LT52 PYD, LT52 PYG, LT52 PXY and LT52 PXZ as private hire vehicles outside the Council's Policy in respect of vehicles undertaking work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Corporate Director for Strategy and Partnerships to transport children to and from educational establishments.

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

Members expressed concerns in respect of the compliance test certificates and the fact that one of the MOT certificates contained advisories.

Resolved –

- (1) That new compliance test certificates be supplied in respect of all four vehicles.**
- (2) That a new MOT certificate be supplied in respect of Iveco Daily, registration number LT52 PXY to demonstrate the advisories have been carried out.**
- (3) That further to the above being completed, this application be re-considered at a Licensing Panel meeting to be held on 29 August.**

28 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.

29 PRIVATE HIRE DRIVER LICENCE (AR)

The Corporate Director for Business submitted a report for Members to consider whether Mr AR should be granted a Private Hire Driver Licence.

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

Members considered the representations made by Mr AR 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 AR's application for a Private Hire Driver Licence be refused.

30 PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES (CEE)

The Corporate Director for Business Management submitted a report for Members to consider whether Mr CEE should continue to hold a Private Hire and a Hackney Carriage Driver Licence.

Mr CEE had requested that this matter be adjourned.

Resolved - That Mr CEE attend the next meeting of the Licensing Panel.

31 **PRIVATE HIRE DRIVER LICENCE (LK)**

At the last meeting of the Licensing Panel, the Corporate Director for Business Management submitted a report for Members to consider whether Mr LK should continue to hold a Private Hire Driver Licence.

The Licensing Manager reported that Mr LK had been instructed to successfully complete the NVQ in Road Passenger Vehicle Driving (Taxi and Private Hire) by 10 August 2018 and that it be reported back to the next Panel meeting should Mr LK fail to complete the NVQ by this date.

It was reported that the course is for 6 weeks and Mr LK had registered on to the course which would be due to start next week.

Resolved – That this be noted.