

LICENSING PANEL

Wednesday, 29 August 2018

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| <u>Present:</u> | Councillors | RL Abbey C Meaden | D Burgess-Joyce D Mitchell |
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32 APPOINTMENT OF CHAIR

Resolved - That;

- 1 In the absence of the Chair that Councillor R Abbey be appointed Chair for the item of Any Other Urgent Business only.
- 2 Councillor David Burgess-Joyce be appointed Chair for this meeting.

33 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.

34 ANY OTHER URGENT BUSINESS - APPLICATION FOR STREET COLLECTION PERMITS

(Councillor Ron Abbey in the Chair).

The Corporate Director for Business Management presented two applications for Street Collection Permits for consideration.

As one of the applications was for a street collection on a day other than a Saturday, and one of the applications was for a day other than a Saturday and for two days in the same calendar year, the applications could not be determined under delegated powers.

It was reported that an application for a Street Collection Permit had been received from JF on behalf of the HF Trust Ltd for Sunday 2 September 2018. The proposed collection was to be held during a sponsored walk along the Wirral from Leasowe Lighthouse to New Brighton Tower Grounds. It was proposed that there would be a maximum of 8 people involved in the collection which would be made using security-sealed and numbered buckets. A copy of the application was made available to members.

A separate application had also been received from DM on behalf of NW Air Ambulance for Friday 7 September 2018 and Saturday 8 September 2018. The proposed collections were to be held at New Brighton Dips during the New Brighton Promenade Stages Rally. It was proposed that there would be a maximum of 20

people involved in the collection. A copy of the application was made available to members.

Members considered the applications made by the applicants and it was:

Resolved – That the applications for Street Collection Permits be approved in respect of both applications.

Councillor Ron Abbey left the meeting following consideration of this item.

35 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - 4 VEHICLES**

(Councillor David Burgess-Joyce in the Chair).

The Corporate Director for Business Management reported upon four separate applications to licence four Iveco Daily vehicles, Registration Numbers LT52 PYD, LT52 PYG, LT52 PXY and LT52 PXZ as private hire vehicles. It was reported that should the vehicles be licensed they would be used to undertake 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 Mr M W, trading as MW Transport, had a number of contracts issued by the Corporate Director for Strategy and Partnerships to transport children to and from educational establishments.

In preparation for the new school year in September Mr Williams had purchased four vehicles prior to 18 July 2018. These vehicles were all over ten years old.

Mr M W had applied to license the four vehicles and was requesting Members consider granting licences outside the current Policy as the vehicles were purchased before 18 July 2018.

The Licensing Panel had considered these applications at their meeting on 10 August 2018 (Minute 27 refers). At this meeting, Members had resolved that vehicle registration number LT52 PXY must undertake the repairs shown as advisories on the MOT pass certificate and then undergo a further MOT test. In addition Members had resolved that all four vehicles must undergo a further compliance test which would be observed by a Licensing Enforcement Officer.

The vehicles had been examined at one of the Council's authorised testing stations and results of the tests were reported to Members at the meeting.

The owner of the vehicles was present at the meeting with his vehicles which members of the Panel inspected. No further documents were provided by the owner.

Resolved – That the vehicles must undergo further compliance testing and that should the vehicles fail to address any cosmetic body work the licences may be granted but only subject to a Notice being issued in respect of such work being addressed to the satisfaction of a Licensing Enforcement Officer.

PRIVATE HIRE VEHICLE LICENCE APPLICATION - 2 VEHICLES

The Corporate Director for Business Management reported upon an application to licence two separate vehicles – a Mercedes Sprinter 413, registration number WX04 YAH and a Mercedes Sprinter 413, registration number WV52 NVR as private hire vehicles. It was reported that should the vehicles be licensed they would be used to undertake 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 contracts that had been awarded to the applicant required that the vehicles used to transport children were fitted with a tail lift. In preparation for the new school year in September 2018 the company had applied to license two vehicles with tail lifts which they had owned for four years and which had previously been licensed as public service vehicles (PSV). Seats had been removed from the vehicles to reduce the capacity from sixteen to eight passengers and the V5s (log books) had been changed with the DVLA. As these vehicles were no longer adapted to carry more than eight passengers they were not subject to the Public Service Vehicles to undertake work for hire and reward. The vehicles were both over ten years old.

The applicant had requested that Members consider granting licences outside the current Policy as the vehicles had been purchased before 18 July 2018.

The vehicles had been examined at one of the Council's authorised testing stations and results of the tests were available to Members at the meeting.

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

Resolved - That the vehicles must undergo further compliance testing and that should the vehicles fail to address any cosmetic body work the licences may be granted but only subject to a Notice being issued in respect of such work being addressed to the satisfaction of a Licensing Enforcement Officer.

37 APPLICATION TO APPROVE A PEUGEOT E7 AS A HACKNEY CARRIAGE VEHICLE

The Corporate Director for Business Management reported upon an application received to licence a Peugeot E7, registration number SF12 JZG as a Hackney Carriage Vehicle. An application had been received from Mr D R to license a Peugeot E7 which had been converted to undertake work as a Hackney Carriage Vehicle, however this work had not been undertaken by Allied Vehicles (Cab Direct).

It was reported that the vehicle had been reconverted by Car n Cab Care and the company had advised that the vehicle was now compliant to Cab Direct and M1 standards. A letter from Car n Cab Care was attached at Appendix 1 to the report.

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

Resolved – That Licensing Officers be delegated to grant the application to licence the Peugeot E7, registration number SF12 JZG as a Hackney Carriage

Vehicle when an Individual Vehicle Approval test certificate has been issued in respect of the vehicle to the satisfaction of Licensing Officers.