

LICENSING PANEL

Friday, 12 October 2018

Present: Councillors D Burgess-Joyce
C Meaden
A Hodson

56 APPOINTMENT OF CHAIR

Resolved – That;

In the absence of the Chair, Councillor A Hodson be appointed Chair for this meeting.

57 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.

58 APPLICATION TO LICENSE A FIAT 500 AS A PRIVATE HIRE VEHICLE

The Corporate Director for Business Management reported upon an application received to license a Fiat 500 as a 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.

59 PRIVATE HIRE VEHICLE LICENCE - MERCEDES E CLASS, REGISTRATION NUMBER LS68 PZX

The Corporate Director for Business Management reported upon an application received to licence a Mercedes E Class, registration number LS68 PZX, 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 applicant also requested that the vehicle be exempt from displaying Private Hire Vehicle Licence plates and to exempt the driver 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.

Resolved –

(1) That the applicant be permitted to license a Mercedes E Class, registration number LS68 PZX, 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.

- (2) That the proprietor of the vehicle be issued with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicle and to exempt the driver of the vehicle from the requirement to wear a Private Hire Driver Badge when driving the vehicle.
- (3) That the vehicle may only be used in circumstances where confirmation of the booking is made to the customer which includes the following:
 - bookings must be made 24 hours in advance;
 - the applicant text/e-mail his customers including a picture of the driver of the vehicle together with details of the name of the driver, badge number and registration number of the vehicle.
- (4) That the vehicle may only undertake work that is paid for through an invoicing system.

60 **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 has been applied and favours exclusion.

61 **PRIVATE HIRE DRIVER LICENCE (JAW)**

The Corporate Director for Business Management reported upon an application received by Mr JAW for the grant of a Private Hire Driver Licence. Mr JAW attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr JAW.

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

Resolved – That Mr JAW’s application for the grant of a Private Hire Driver Licence be approved.

62 **PRIVATE HIRE DRIVER LICENCE (BSB)**

The Corporate Director for Business Management reported upon an application received by Mr BSB for the grant of a Private Hire Driver Licence. Mr BSB attended the meeting and made representations in respect of the report submitted.

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

63 **PRIVATE HIRE DRIVER LICENCE (DFR)**

The Corporate Director for Business Management reported upon an application received by Mr DFR for the grant of a Private Hire Driver Licence. Mr DFR attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr DFR.

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

Resolved – That Mr DFR’s application for the grant of a Private Hire Driver Licence be approved.

64 **HACKNEY CARRIAGE DRIVER LICENCE (GMCC)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr GMcC should continue to hold a Hackney Carriage Driver Licence. Mr GMcC attended the meeting and made representations.

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

Resolved -

(1) That Mr GMcC be allowed to continue to hold a Hackney Carriage Driver Licence.

(2) That Mr GMcC be issued with a written warning as to his future conduct.

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

The Corporate Director for Business Management reported upon an application received by Mr AA for the grant of a Private Hire Driver Licence. Mr AA attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr AA.

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

Resolved – That Mr AA’s application for the grant of a Private Hire Driver Licence be approved.