

LICENSING PANEL

Friday, 26 April 2019

Present:

Councillors	G Wood
	D Burgess-Joyce
<u>Deputies</u>	Councillor J Stapleton (for Councillor R Abbey)

146 **APPOINTMENT OF CHAIR**

Resolved – That:

In the absence of the Chair, Councillor Burgess-Joyce be appointed Chair for this meeting.

147 **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.

148 **APPLICATION TO LICENSE A CUSTOM A CAB AS A PRIVATE HIRE VEHICLE**

The Corporate Director for Business Management reported upon an application received to license a Ford Tourneo Custom A Cab rear loading wheelchair accessible vehicle as a Private Hire Vehicle as a result of further information being presented.

Wirral Council must be satisfied that vehicles licensed as private hire vehicles are suitable in type, size and design for use as private hire vehicles, that it is in a suitable mechanical condition and is safe and comfortable.

An application to license the Ford Tourneo Custom A Cab rear loading wheelchair accessible vehicle as a Private Hire Vehicle was considered by the Licensing Panel on 9 November 2018.

Members resolved that the Ford Tourneo Custom A Cab be approved to be licensed as a Private Hire Vehicle, subject to each vehicle being presented for licensing with a satisfactory Individual Vehicle Approval Certificate.

Since the meeting of the Licensing Panel on 9 November 2018, Officers had sought and obtained advice from the Vehicle Certification Agency regarding the status of documents submitted in support of the application made at that time and the nature and extent of testing that takes place as part of an Individual Vehicle Approval and Whole Vehicle Type Approval.

Following the findings of these enquiries, it was considered appropriate for Members to review the decision made on 9 November 2019.

The Panel considered representations made by Mr Marnell, who was accompanied by Mr Hughes, a Hackney Carriage Driver and considered their decision in the light of these representations.

Resolved –

- (1) That having regard to the representations made by Mr Marnell and the information contained in the documentation provided by Officers, the decision of the Licensing Panel, made on 9 November 2018 be set aside.**
- (2) That Officers be directed to present a report to the Licensing, Health and Safety Committee, in respect of a policy regarding the licensing of used vehicles that have been converted or adapted to carry wheelchair-using passengers.**

149 APPLICATION TO LICENSE A CUSTOM A CABBI AS A HACKNEY CARRIAGE VEHICLE

The Corporate Director for Business Management reported upon an application for Members to review the decision of the Licensing Panel on 9 November 2018 to license the Ford Tourneo Custom A Cabbi rear loading wheelchair accessible vehicle as a Hackney Carriage Vehicle as a result of further information being presented.

The criteria for licensing vehicles as Hackney Carriage Vehicles stated that:

- All vehicles must be purpose built and built to accommodate disabled passengers in wheelchairs in the rear passenger compartment.
- All vehicles must comply in all aspects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980 and the Motor Vehicle (Type Approval) Regulations (Great Britain) 1984. Every new vehicle offered for approval must comply in all respects with the British and European vehicle regulations and be M1 type approved in accordance with European Whole Type Approval 70/156/EEC as amended. Those vehicles which do not hold M1 type approval must be presented with approved certification that the specific vehicle meets the requirements of M1 category.
- All vehicles must have separate driver and rear passenger compartments, separated by a transparent partition in accordance with the manufacturer or vehicle converter's original specification.
- Vehicles presented for approval must comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof.

An application to license the Ford Tourneo Custom A Cabbi rear loading wheelchair accessible vehicle as a Hackney Carriage Vehicle was considered by the Licensing panel on 9 November 2018.

Members resolved that the Ford Tourneo Custom A Cabbi be approved to be licensed as a Hackney Carriage Vehicle, subject to each vehicle being presented for licensing with a satisfactory Individual Vehicle Approval Certificate.

Since the meeting of the Licensing Panel on 9 November 2018, Officers had sought and obtained advice from the Vehicle Certification Agency regarding the status of documents submitted in support of the application made at that time and the nature and extent of testing that takes place as part of an Individual Vehicle Approval and Whole Vehicle Type Approval.

Following the findings of these enquiries it was considered appropriate for Members to review the decision made on 9 November 2018.

Resolved –

- (1) That having regard to the representations made by Mr Marnell and the information contained in the documentation provided by Officers, the decision of the Licensing Panel, made on 9 November 2018 be set aside.**
- (2) That Officers be directed to present a report to the Licensing, Health and Safety Committee, in respect of a policy regarding the licensing of rear loading wheelchair accessible vehicles.**

150 HACKNEY CARRIAGE DRIVER LICENCE (SJB)

The Corporate Director for Business Management introduced a report for Members to consider whether to grant a Hackney Carriage Driver Licence to Mr SJB.

Mr SJB attended the meeting, made representations regarding his application and answered questions from members of the Panel.

The Panel considered the representations made by Mr SJB.

Resolved – That Mr SJB's application for the grant of a Hackney Carriage Driver Licence be refused.