



## Licensing Panel

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| <b>Date:</b>  | <b>Friday, 26 April 2019</b>           |
| <b>Time:</b>  | <b>10.00 a.m.</b>                      |
| <b>Venue:</b> | <b>Round Room - Wallasey Town Hall</b> |

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## AGENDA

### 1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel are 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.

### 2. APPLICATION TO LICENSE A CUSTOM A CAB AS A PRIVATE HIRE VEHICLE (Pages 1 - 4)

### 3. APPLICATION TO LICENSE A CUSTOM A CABBI AS A HACKNEY CARRIAGE VEHICLE (Pages 5 - 8)

### 4. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

The following items contain exempt information.

RECOMMENDATION: 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.

### 5. 11:00AM: HACKNEY CARRIAGE DRIVER LICENCE (SJB) (Pages 9 - 12)





## LICENSING PANEL

26 APRIL 2019

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| <b>REPORT TITLE</b> | <b>APPLICATION TO LICENSE A CUSTOM A CAB AS A PRIVATE HIRE VEHICLE</b> |
| <b>REPORT OF</b>    | <b>CORPORATE DIRECTOR FOR BUSINESS MANAGEMENT</b>                      |

## REPORT SUMMARY

The purpose of this report is for Members to review the decision of the Licensing Panel on 9 November 2018 to license the Ford Tourneo Custom A Cab rear loading wheelchair accessible vehicle as a Private Hire Vehicle as a result of further information being presented.

## RECOMMENDATION/S

That Members review the decision of the Licensing Panel on 9 November 2018 to license the Ford Tourneo Custom A Cab rear loading wheelchair accessible vehicle as a Private Hire Vehicle.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is a delegated function of this Panel to approve vehicles that can be licensed as Private Hire Vehicles.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.3 Since the meeting of the Licensing Panel on 9 November 2018 Officers have 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.
- 3.4 Following the findings of these enquiries it is considered appropriate for Members to review the decision made on 9 November 2018.

### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no specific implications arising from this report.

### **5.0 LEGAL IMPLICATIONS**

- 5.1 A decision of this Panel can be subject to legal challenge.

### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

- 6.1 There are no specific implications arising from this report.

### **7.0 RELEVANT RISKS**

- 7.1 There are safety implications arising out of this report due to the safety aspects of private hire vehicles.



## **8.0 ENGAGEMENT/CONSULTATION**

8.1 This is not a matter that requires consultation.

## **9.0 EQUALITY IMPLICATIONS**

9.1 There are no specific implications arising from this report.

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## **APPENDICES**

## **REFERENCE MATERIAL**

### **SUBJECT HISTORY (last 3 years)**

| <b>Council Meeting</b> | <b>Date</b>     |
|------------------------|-----------------|
| Licensing Panel        | 9 November 2018 |



## LICENSING PANEL

26 APRIL 2019

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| <b>REPORT TITLE</b> | <b>APPLICATION TO LICENSE A CUSTOM A CABBI AS A HACKNEY CARRIAGE VEHICLE</b> |
| <b>REPORT OF</b>    | <b>CORPORATE DIRECTOR FOR BUSINESS MANAGEMENT</b>                            |

## REPORT SUMMARY

The purpose of this report is 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.

## RECOMMENDATION/S

That Members 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.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is a delegated function of this Panel to approve vehicles that can be licensed as Hackney Carriage Vehicles.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The criteria for licensing vehicles as Hackney Carriage Vehicles states 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 respects 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 Vehicle 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.

- 3.2 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.

- 3.2 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.

- 3.3 Since the meeting of the Licensing Panel on 9 November 2018 Officers have 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.



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

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no specific implications arising from this report.

#### **5.0 LEGAL IMPLICATIONS**

5.1 A decision of this Panel can be subject to legal challenge.

#### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are no specific implications arising from this report.

#### **7.0 RELEVANT RISKS**

7.1 There are safety implications arising out of this report due to the safety aspects of hackney carriage vehicles.

#### **8.0 ENGAGEMENT/CONSULTATION**

8.1 This is not a matter that requires consultation.

#### **9.0 EQUALITY IMPLICATIONS**

9.1 There are no specific implications arising from this report.

**REPORT AUTHOR:** Margaret Calvert  
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email: [margaretcalthorpe@wirral.gov.uk](mailto:margaretcalthorpe@wirral.gov.uk)

#### **APPENDICES**

#### **REFERENCE MATERIAL**

#### **SUBJECT HISTORY (last 3 years)**

| <b>Council Meeting</b> | <b>Date</b>     |
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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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