

REGULATORY PANEL

Friday, 29 January 2021

Present:

Councillors	G Davies	D Mitchell
	AER Jones	S Williams

Apologies Councillor A Hodson

The Chair announced that this meeting was being held virtually, was being webcast and a record would be retained.

16 **APPOINTMENT OF CHAIR**

In the absence of the Chair, it was –

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

17 **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.

18 **APPLICATION TO LICENSE A MERCEDES VITO AS A HACKNEY CARRIAGE VEHICLE**

The Director of Law and Governance reported upon an application received to license a Mercedes Vito, registration number LC11 MSY as a Hackney Carriage Vehicle.

The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence were outlined within the report.

It was reported that the applicant was the proprietor of a Hackney Carriage Vehicle, namely a Peugeot E7 until 10 May 2020 when the licence expired and that he had been unable to renew the licence as he was shielding due to the current pandemic. It was further reported that the applicant had purchased a new vehicle, the date of first registration is 25 November 2011 which was newer than the vehicle that was previously licensed and had applied for the grant of a new licence.

The proprietor of the vehicle attended the meeting by way of phone call. Members of the Panel had inspected photographs of the vehicle and the documentation relating to the vehicle.

Resolved –

- (1) **That the application to license the Mercedes Vito, Registration Number LC11 MSY as a Hackney Carriage Vehicle be granted for six months.**
- (2) **That matching wheel trims be fitted to the vehicle prior to the licence being issued.**

19 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN RELAY, REGISTRATION NUMBER NJ60 OAE**

The Director of Law and Governance reported upon an application received to re-license a Citroen Relay, registration number NJ60 OAE, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 6 August 2018 and the current licence was due to expire on 5 February 2021. The date of first registration of the vehicle was 17 September 2010. On expiry of a previous licence on 5 August 2020 an application to grant a six month licence had been granted under delegated authority. The vehicle was used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members together with photographs of the vehicle.

The proprietor of the vehicle attended the meeting by way of video conference and Members of the Panel had inspected photographs of the vehicle.

Resolved – That the application to license the Citroen Relay, registration number NJ60 OAE, as a Private Hire Vehicle be granted for six months.

20 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO DAILY, REGISTRATION NUMBER WA60 EWG**

The Director of Law and Governance reported upon an application received to re-license an Iveco Daily, registration number WA60 EWG, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 31 August 2018 and the current licence expired on 20 December 2020. The date of first registration of the vehicle was 20 December 2010. The vehicle was used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational

establishments. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members together with photographs of the vehicle.

The proprietor of the vehicle attended the meeting by way of phone call and Members of the Panel had inspected photographs of the vehicle.

Resolved – That the application to license the Iveco Daily, registration number WA60 EWG, as a Private Hire Vehicle be granted for six months.

21 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL ZAFIRA, REGISTRATION NUMBER DK11 UHG**

The Director of Law and Governance reported upon an application received to re-license a Vauxhall Zafira, registration number DK11 UHG, beyond the normal overage date for a licensed Private Hire Vehicle. The vehicle had been licensed as a Private Hire Vehicle since 16 February 2015. The proprietor of the vehicle had applied to renew the Private Hire Vehicle Licence on 16 January 2021, the date of the first registration of the vehicle is 1 March 2011, therefore the licence had been granted to expire on 1 March 2021 when the vehicle reaches 10 years old. The applicant had requested that the licence be extended to 15 July 2021.

The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members together with photographs of the vehicle.

The proprietor of the vehicle attended the meeting by way of video conference and Members of the Panel had inspected photographs of the vehicle.

Resolved – That the application to license the Vauxhall Zafira, registration number DK11 UHG, as a Private Hire Vehicle be granted for six months.

22 **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 item of business on the grounds that it involves 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.

23 **PRIVATE HIRE DRIVER LICENCE (AB)**

The Director of Law and Governance submitted a report for Members to consider whether Ms AJB should continue to hold a Private Hire Driver Licence.

Ms AJB attended the meeting by way of video conference and made representations. Members questioned Ms AJB.

Members considered carefully the representations made by Ms AJB.

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 considered that in seeking to ensure the legitimate aim of the protection and safety of the public, a revocation of the licence with immediate effect was justified in the circumstances.

Resolved – That, in the interests of public safety, Ms AJB’s Private Hire Driver Licence be revoked with immediate effect.