



Regulatory Panel

Date: Friday, 29 January 2021

Time: 10.00 a.m.

Venue: Microsoft Teams

Contact Officer: Anne Beauchamp

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AGENDA

1. **APPLICATION TO LICENSE AN MERCEDES VITO AS A HACKNEY CARRIAGE VEHICLE (Pages 1 - 4)**
2. **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN RELAY, REGISTRATION NUMBER NJ60 OAE (Pages 5 - 8)**
3. **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO DAILY, REGISTRATION NUMBER WA60 EWG (Pages 9 - 12)**
4. **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL ZAFIRA, REGISTRATION NUMBER DK11 UHG (Pages 13 - 16)**
5. **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.

6. **PRIVATE HIRE DRIVER LICENCE (AB) (Pages 17 - 22)**
7. **PRIVATE HIRE DRIVER LICENCE (AB) - EXEMPT APPENDIX (Pages 23 - 24)**



REGULATORY PANEL

29 JANUARY 2021

REPORT TITLE	APPLICATION TO LICENSE AN MERCEDES VITO AS A HACKNEY CARRIAGE VEHICLE
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is for Members to consider an application to license the following vehicle, namely a Mercedes Vito, registration number LC11 MSY, as a Hackney Carriage Vehicle.

RECOMMENDATION/S

That members consider whether or not to license the vehicle registration number LC11 MSY as a Hackney Carriage Vehicle.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is the delegated authority of this Panel to determine applications for Hackney Carriage Vehicle Licences where the vehicle cannot comply with the current criteria for licensing Hackney Carriage Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That consideration of the matter be delegated to officers.

3.0 BACKGROUND INFORMATION

- 3.1 The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence includes the following:
- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
 - (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
 - (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
 - (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
 - (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).
- 3.2 The applicant, Mr Riley, was the proprietor of a Hackney Carriage Vehicle, namely a Peugeot E7 registration number SF09 AVM, until 10 May 2020 when the licence expired. Mr Riley was unable to renew the licence as he was shielding due to the current pandemic in line with Government advice.
- 3.3 Mr Riley has purchased a new vehicle and has applied for the grant of a new licence. The date of first registration of the vehicle is 25 November 2011. The vehicle is newer than the vehicle that was previously licensed.
- 3.4 Members are asked to consider the application and determine if there is good reason to act outside of the current policy and license the vehicle, registration number LC11 MSY as a Hackney Carriage Vehicle.
- 3.5 The vehicle has been examined at one of the Council's authorised testing stations and the pass certificates will be available at the meeting.
- 3.6 Photographs of the vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 A district council may require any Hackney Carriage licensed by them under the Town Police Clauses Act 1847 to be of such design or appearance or bear any such distinguishing marks as shall clearly identify it as a Hackney Carriage.

5.2 A district council may attach to the grant of licence of a Hackney Carriage such conditions as the district council consider reasonably necessary.

5.3 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.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Diesel-fuelled vehicles are major sources of harmful pollutants, such as ground-level ozone and particulate matter, often in the form of black smoke, along with a number of other chemical compounds such as volatile organic compounds, hydrocarbons, carbon monoxide, ozone, lead, and various oxides of nitrogen.

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BACKGROUND PAPERS

MOT certificate

Compliance pass certificate

Photographs of the vehicle

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REGULATORY PANEL

29 JANUARY 2021

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to consider an application to re-license a Citroen Relay, registration number NJ60 OAE, beyond the normal over-age date for a licensed Private Hire Vehicle.

RECOMMENDATION/S

That the Panel considers whether or not to license the vehicle for six months.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to determine applications for Private Hire Vehicle Licences where the vehicle is over ten years old.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That consideration of the matter be delegated to officers.

3.0 BACKGROUND INFORMATION

- 3.1 The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence includes the following:
1. Vehicles must be under 10 years of age from the date of manufacture or date of first registration, whichever is the earliest.
 2. Once a vehicle reaches 6 years of age it will be required to be tested every six months and a six monthly licence will be issued.
 3. Any vehicle which is more than 9 years and 6 months old will be issued with a licence that will expire on the day before it reaches 10 years old
- 3.2 The proprietor of the vehicle, Mr Beck, has applied to license the vehicle for six months.
- 3.3 The vehicle has been licensed as a Private Hire Vehicle since 6 August 2018 and the current licence is due to expire on 5 February 2021.
- 3.4 The date of first registration of this vehicle is 17 September 2010.
- 3.5 On expiry of a previous licences on 5 August 2020 an application to grant a six month licence was considered under delegated authority and the application was granted.
- 3.6 The vehicle is 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.
- 3.7 The vehicle has been examined at one of the Council's authorised testing stations and the pass certificates will be available at the meeting.
- 3.8 Photographs of the vehicle will be available for inspection at the meeting.
- ### **4.0 FINANCIAL IMPLICATIONS**
- 4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 The Local Government (Miscellaneous Provisions) Act 1976 Section 48 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle
- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and
- Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

5.2 A decision of this Panel can be subject to appeal.

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. The vehicle has been examined at one of the Council's authorised testing stations and has passed the MOT and Compliance tests.

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.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Private Hire Vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

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REGULATORY PANEL

29 JANUARY 2021

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to consider an application to re-license an Iveco Daily, registration number WA60 EWG, beyond the normal over-age date for a licensed Private Hire Vehicle.

RECOMMENDATION/S

That the Panel considers whether or not to license the vehicle for six months.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 It is a delegated function of this Panel to determine applications for Private Hire Vehicle Licences where the vehicle is over ten years old.

2.0 OTHER OPTIONS CONSIDERED

2.1 That consideration of the matter be delegated to officers.

3.0 BACKGROUND INFORMATION

3.1 The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence includes the following:

1. Vehicles must be under 10 years of age from the date of manufacture or date of first registration, whichever is the earliest.
2. Once a vehicle reaches 6 years of age it will be required to be tested every six months and a six monthly licence will be issued.
3. Any vehicle which is more than 9 years and 6 months old will be issued with a licence that will expire on the day before it reaches 10 years old

3.2 The proprietor of the vehicle, A Team Wirral Ltd, have applied to license the vehicle for six months.

3.3 The vehicle has been licensed as a Private Hire Vehicle since 31 August 2018 and the current licence expired on 20 December 2020.

3.4 The date of first registration of this vehicle is 20 December 2010.

3.5 The vehicle is 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.

3.6 The vehicle has been examined at one of the Council's authorised testing stations and the pass certificates will be available at the meeting.

3.7 Photographs of the vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 The Local Government (Miscellaneous Provisions) Act 1976 Section 48 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle

- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and
- Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

5.2 A decision of this Panel can be subject to appeal.

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. The vehicle has been examined at one of the Council's authorised testing stations and has passed the MOT and Compliance tests.

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.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Private Hire Vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

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29 JANUARY 2021

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to consider an application to re-license a Vauxhall Zafira, registration number DK11 UHG, beyond the normal over-age date for a licensed Private Hire Vehicle.

RECOMMENDATION/S

That the Panel considers whether or not to license the vehicle for six months.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to determine applications for Private Hire Vehicle Licences where the vehicle is over ten years old.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That consideration of the matter be delegated to officers.

3.0 BACKGROUND INFORMATION

- 3.1 The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence includes the following:
1. Vehicles must be under 10 years of age from the date of manufacture or date of first registration, whichever is the earliest.
 2. Once a vehicle reaches 6 years of age it will be required to be tested every six months and a six monthly licence will be issued.
 3. Any vehicle which is more than 9 years and 6 months old will be issued with a licence that will expire on the day before it reaches 10 years old
- 3.2 The proprietor of the Vauxhall Zafira registration number DK11 UHG, Mr Varghese, applied to renew the Private Hire Vehicle Licence on 16 January 2021. The date of first registration of this vehicle is 1 March 2011 therefore the licence was granted to expire on 1 March 2021 when the vehicle reaches 10 years old.
- 3.3 Mr Varghese has requested that the licence be extended to 15 July 2021.
- 3.4 The vehicle has been licensed as a Private Hire Vehicle since 16 February 2015.
- 3.5 The vehicle has been examined at one of the Council's authorised testing stations and the pass certificates will be available at the meeting.
- 3.6 Photographs of the vehicle will be available at the meeting.

4.0 FINANCIAL IMPLICATIONS

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

5.0 LEGAL IMPLICATIONS

- 5.1 The Local Government (Miscellaneous Provisions) Act 1976 Section 48 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:
- Suitable in type, size and design for use as a Private Hire Vehicle
 - Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
 - In a suitable mechanical condition
 - Safe and

- Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

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. The vehicle has been examined at one of the Council's authorised testing stations and has passed the MOT and Compliance tests.

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.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Private Hire Vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

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