

# REGULATORY PANEL

Friday, 21 January 2022

Present:

Councillors	M Booth	D Mitchell
	D Burgess-Joyce	C O'Hagan

108 **APPOINTMENT OF CHAIR**

In the absence of the Chair it was –

**Resolved – That Councillor M Booth be appointed Chair for this meeting.**

109 **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.

110 **APPLICATION TO LICENSE THE NISSAN QASHQAI AS A PRIVATE HIRE VEHICLE - NISSAN QASHQAI REGISTRATION NUMBER NJ16 BYF**

The Director of Law and Governance reported upon an application received to determine whether the Nissan Qashqai meets the Council's criteria for licensing Private Hire Vehicles.

In September 2017 Members of the Licensing, Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles. The criteria were set out within Appendix 1 attached to the report and state that:

- 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.
- Although the criteria set out in this document may have been met, approval for the issuing of a licence may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for use as a private hire vehicle to transport members of the public for hire and reward.
- A vehicle that meets the criteria to be licensed as a private hire vehicle must have passed the MOT and Compliance Test in accordance with

the Licensing Authority's procedure for testing vehicles before it can be licensed and before each renewal of that licence.

Members of the Regulatory Panel were asked to consider whether they were satisfied that the Nissan Qashqai complied with the Council's criteria for licensing Private Hire Vehicles and whether it was a suitable vehicle to be licensed. Should this be the case Members were further asked to consider whether to license the Nissan Qashqai, registration number NJ16 BYF as a Private Hire Vehicle. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The proprietor of the vehicle attended the meeting together with his Union representative and Members of the Panel inspected the vehicle.

**Resolved –**

- (1) That the Nissan Qashqai Visia DCI meets the criteria for licensing Private Hire Vehicles.**
- (2) That the application to license the Nissan Qashqai Visia DCI, registration number NJ16 BYF as a Private Hire Vehicle be granted subject to a full valet of the vehicle being carried out.**

**111 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 2022. The date of first registration of the vehicle was 17 September 2010. On expiry of a previous licence on 5 August 2020 a six month licence was granted under delegated authority and on expiry of previous licences on 5 February 2021 and 5 August 2021 six month licences were granted by the Regulatory Panel. It was reported that 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. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

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

112 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VW PASSAT, REGISTRATION NUMBER WN11 VUE**

The Director of Law and Governance reported upon an application received to re-license a VW Passat, registration number WN11 VUE, beyond the normal overage date for a licensed Private Hire Vehicle.

The vehicle had been licensed as a Private Hire Vehicle since 6 June 2018 and the current licence was due to expire on 21 January 2022. The date of first registration of the vehicle was 13 May 2011. On expiry of a previous licence on 9 July 2021 a six month licence was granted by the Regulatory Panel. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were available for Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

**Resolved – That the application to license the VW Passat, registration number WN11 VUE, as a Private Hire Vehicle be granted for six months subject to work required to address the advisories referred to in the MOT Certificate being carried out within 7 days and evidence of this being presented to a Licensing Officer.**

113 **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 paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.**

114 **PRIVATE HIRE DRIVER LICENCE (CJQ)**

The Director of Law and Governance submitted a report for Members to consider whether CJQ should be granted a Private Hire Driver Licence.

CJQ attended the meeting and made representations in respect of the application.

Members questioned CJQ.

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

**Resolved – That CJQ’s application for a Private Hire Driver Licence be granted.**

115 **PRIVATE HIRE DRIVER LICENCE (KJW)**

The Director of Law and Governance submitted a report for Members to consider whether KJW should be granted a Private Hire Driver Licence.

KJW attended the meeting and made representations in respect of the application.

Members questioned KJW.

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

**Resolved – That KJW’s application for a Private Hire Driver Licence be granted.**

116 **PRIVATE HIRE DRIVER LICENCE (RJW)**

The Director of Law and Governance submitted a report for Members to consider whether RJW should be granted a Private Hire Driver Licence.

RJW attended the meeting with his father and made representations in respect of the application.

Members questioned RJW.

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

**Resolved (2:2) (Councillors D Burgess-Joyce and C O’Hagan dissenting) That RJW’s application for a Private Hire Driver Licence be granted on the Chair’s casting vote.**