

# REGULATORY PANEL

Friday, 23 September 2022

Present:

Councillors S Bennett  
M Booth

D Burgess-Joyce  
C O'Hagan

50 **APPOINTMENT OF CHAIR**

In the absence of the Chair, it was –

**Resolved – That Councillor D Burgess-Joyce be appointed Chair for this meeting.**

51 **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.

52 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA PRIUS, REGISTRATION NUMBER EK12 TYG**

The Director of Law and Governance reported upon an application received to license a Toyota Prius, registration number EK12 TYG, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 23 July 2020 and the current licence was due to expire on 28 September 2022. The date of first registration of the vehicle was 28 March 2012. On 11 March 2022 the Regulatory Panel granted a six month licence. 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 Toyota Prius, registration number EK12 TYG, as a Private Hire Vehicle be granted for six months.**

53 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN RELAY, REGISTRATION NUMBER BX12 BVL**

The Director of Law and Governance reported upon an application received to license a Citroen Relay, registration number BX12 BVL, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 2 January 2020 and the current licence expired on 15 September 2022. The date of first registration of the vehicle was 15 March 2012. If a licence is granted, the vehicle would be 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 BX12 BVL, as a Private Hire Vehicle be granted for six months.**

54 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER YP17 ULR**

The Director of Law and Governance reported upon an application received to license a Ford Transit, registration number YP17 ULR, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

In September 2017 Members of the Licensing Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles.

Paragraph 36 of the criteria states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

The date of first registration of the vehicle was 4 May 2017 and should a licence be granted, the vehicle would be 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 applicant attended the meeting together with his colleagues and the vehicle which was inspected by Members.

The applicant informed Members of the Panel that a DBS checked pupil escort would always be present in the vehicle when transporting children to and from educational establishments and that the vehicle would be equipped with CCTV.

In determining the application, Members took into consideration that the vehicle would be used exclusively to transport children to and from educational establishments, that there would always be a DBS pupil escort present in the vehicle and that the vehicle would be equipped with CCTV.

**Resolved (2:1 Councillor D Burgess-Joyce dissenting) – That due to the restricted use of this vehicle, the fact that there would always be a pupil escort present in the vehicle and that CCTV would be fitted in the vehicle, the application to license the Ford Transit, Registration Number YP17 ULR, as a Private Hire Vehicle be granted following adaptations to reduce the capacity of the vehicle to no more than 8 passengers and the vehicle registration certificate being amended accordingly.**

55 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - SKODA SUPERB, REGISTRATION NUMBER T13 NYR**

The Director of Law and Governance reported upon an application received to license a Skoda Superb, registration number T13 NYR, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

In September 2017 Members of the Licensing Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles.

Paragraph 36 of the criteria states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

The date of first registration of the vehicle was 25 September 2017.

The applicant attended the meeting with his vehicle which was inspected by Members.

**Resolved – That subject to the drop down windows being replaced by glass that complies with the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through, the application to license the Skoda Superb, Registration Number T13 NYR, as a Private Hire Vehicle outside the current criteria be granted.**

56 **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.**

57 **PRIVATE HIRE DRIVER LICENCE (JP)**

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

JP attended the meeting together with his legal representative and made representations. JP and his legal representative responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the responses made by JP and his legal representative.

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

**Resolved –**

- (1) That JP be allowed to continue to hold a Private Hire Driver Licence but that suspension of the Licence remain in place subject to a Group 2 medical report being provided to a Licensing Officer.**
- (2) That JP be given a written warning as to his future conduct.**