

REGULATORY PANEL

Friday, 11 November 2022

Present: Councillors A Hodson (Chair)
S Bennett
M Booth
D Burgess-Joyce
C Davies

73 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.

Councillor S Bennett declared a personal interest in Item 4 – Private Hire Driver Licence (RAO), by virtue of being acquainted with the applicant (minute 76 refers).

74 PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT 308, REGISTRATION NUMBER DU65 GAA

The Head of Legal Services reported upon an application received to license a Peugeot 308, registration number DU65 GAA, 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 16 September 2015.

The applicant attended the meeting with the vehicle which was inspected by Members. The applicant informed Members of the Panel that he undertakes work exclusively transporting patients to receive medical treatment. The Panel were made aware that the applicant also held a Private Hire Operator Licence. The applicant advised Members of the Panel that he would be willing for both the Private Hire Vehicle Licence and the Private Hire Operator Licence to have a condition that restricts the use of the vehicle to only undertake this type work.

Resolved –

- (1) That the application to license the Peugeot 308, Registration Number DU65 GAA, 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 be granted.**
- (2) That the Private Hire Vehicle Licence and Private Hire Operator Licence be restricted to transporting passengers to and from hospital to undergo medical treatment as outlined at the hearing.**

75 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.

76 PRIVATE HIRE DRIVER LICENCE (RAO)

Councillor S Bennett declared a personal interest in this matter and left the meeting during its consideration (minute 73 refers).

The Head of Legal Services submitted a report for Members to consider whether RAO should be granted a Private Hire Driver Licence.

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

Members of the Panel and their legal advisor questioned RAO.

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 RAO's application for a Private Hire Driver Licence be granted.

Members of the Panel observed 2 minutes' silence at 11.00 am for Armistice Day

Councillor M Booth in attendance for consideration of the following 2 items

77 **PRIVATE HIRE DRIVER LICENCE (GMCW)**

The Head of Legal Services submitted a report for Members to consider whether GMcW should be granted a Private Hire Driver Licence.

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

Members of the Panel and their legal advisor questioned GMcW.

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 GMcW’s application for a Private Hire Driver Licence be granted.

78 **PRIVATE HIRE DRIVER LICENCE (MDKR)**

The Head of Legal Services reported upon an application received by MDKR for the grant of a Private Hire Driver Licence. MDKR attended the meeting with his wife and made representations in respect of the application.

Members of the Panel and their legal advisor questioned MDKR.

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

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.

Resolved (3:2) (Councillors M Booth and D Burgess-Joyce dissenting) – That MDKR’s application for the grant of a Private Hire Driver Licence be refused.