



Regulatory Panel

Date:	Friday, 25 November 2022
Time:	9.45 a.m.
Venue:	Committee Room 1, Wallasey Town Hall

Contact Officer: Anne Beauchamp
Tel: 0151 691 8608
e-mail: annebeauchamp@wirral.gov.uk
Website: www.wirral.gov.uk

Please note that public seating is limited therefore members of the public are encouraged to arrive in good time.

Wirral Council is fully committed to equalities and our obligations under The Equality Act 2010 and Public Sector Equality Duty. If you have any adjustments that would help you attend or participate at this meeting, please let us know as soon as possible and we would be happy to facilitate where possible. Please contact committeeservices@wirral.gov.uk

AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel are 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.

2. PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT 308, REGISTRATION NUMBER PK62 XBF (Pages 1 - 4)

3. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER BV66 KDF (Pages 5 - 8)

4. PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER GY67 FPK (Pages 9 - 12)

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 (CJC) (Pages 13 - 22)

7. PRIVATE HIRE DRIVER LICENCE (MMR) (Pages 23 - 44)



REGULATORY PANEL

25 NOVEMBER 2022

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	HEAD OF LEGAL SERVICES – INTERIM MONITORING OFFICER

REPORT SUMMARY

The purpose of this report is to consider an application to license a Peugeot 308, registration number PK62 XBF, outside of the current age policy for licensing Private Hire Vehicles.

RECOMMENDATION/S

That the Regulatory Panel consider whether to license the Peugeot 308, registration number PK62 XBF, as a Private Hire Vehicle for a period of 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 the application to license the Peugeot 308, registration number PK62 XBF, be refused as the vehicle does not comply with the current criteria for licensing Private Hire Vehicles, in that it is more than 10 years old from the date of manufacture or the date of first registration whichever is the earlier.

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, Ms Rowland, has applied to license the vehicle.
- 3.3 The vehicle has been licensed as a Private Hire Vehicle since 24 January 2022 and the current licence is due to expire on 10 December 2022.
- 3.4 The date of first registration of this vehicle is 10 December 2012.
- 3.5 The vehicle has been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates will be provided in advance of the meeting.
- 3.6 The vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising directly from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 48 of The Local Government (Miscellaneous Provisions) Act 1976 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 as the Panel must be satisfied that the vehicle is safe to be licensed as a Private Hire Vehicle. 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 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency report 2018)

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

REPORT AUTHOR: Dawn Bott
Licensing Team Leader
telephone: 0151 691 8014
email: dawnbott@wirral.gov.uk

APPENDICES

None

BACKGROUND PAPERS

Application Form
Private Hire Vehicle Criteria
European Environment Agency Report 2018
Local Government (Miscellaneous Provisions) Act 1976

TERMS OF REFERENCE

This report is being considered by the Regulatory Panel who are delegated to determine such matters in accordance with Section 8.4 of the Regulatory and General Purposes Committee's Terms of Reference referred to in Part 3, Section B of the Council's constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

REGULATORY PANEL

25 NOVEMBER 2022

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	HEAD OF LEGAL SERVICES - INTERIM MONITORING OFFICER

REPORT SUMMARY

The purpose of this report is for the Regulatory Panel to consider an application to license a Ford Transit, registration number BV66 KDF, 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.

RECOMMENDATION/S

That the Regulatory Panel consider whether to license the Ford Transit, registration number BV66 KDF, 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.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to approve vehicles that can be licensed as Private Hire Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license the Ford Transit, registration number BV66 KDF, be refused as the vehicle does not comply with the current criteria for licensing Private Hire Vehicles in that the side and rear windows do not let at least 70% of light through.

3.0 BACKGROUND INFORMATION

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

- 3.2 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.

- 3.3 The date of first registration of the vehicle is 2 September 2016 and it is therefore six years old.
- 3.4 If a licence is granted, the vehicle will 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.
- 3.5 The vehicle will be examined at one of the Council's authorised testing stations if the Panel determine that it may be licensed as a Private Hire Vehicle.
- 3.6 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 Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 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 as the Panel must be satisfied that the vehicle is safe to be licensed as a Private Hire Vehicle. The vehicle will be examined at one of the Council's authorised testing stations and must pass the MOT and Compliance tests before being issued a licence.

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 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency report 2018)

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

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REPORT OF	HEAD OF LEGAL SERVICES - INTERIM MONITORING OFFICER

REPORT SUMMARY

The purpose of this report is for the Regulatory Panel to consider an application to license a Ford Transit, registration number GY67 FPK, 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.

RECOMMENDATION/S

That the Regulatory Panel consider whether to license the Ford Transit, registration number GY67 FPK, 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.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to approve vehicles that can be licensed as Private Hire Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license the Ford Transit, registration number GY67 FPK, be refused as the vehicle does not comply with the current criteria for licensing Private Hire Vehicles in that the side and rear windows do not let at least 70% of light through.

3.0 BACKGROUND INFORMATION

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

- 3.2 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.

- 3.3 The date of first registration of the vehicle is 5 December 2017.

- 3.4 If a licence is granted, the vehicle will 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.

- 3.5 The vehicle will be examined at one of the Council's authorised testing stations if the Panel determine that it may be licensed as a Private Hire Vehicle.

- 3.6 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.

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

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- 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

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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 as the Panel must be satisfied that the vehicle is safe to be licensed as a Private Hire Vehicle. The vehicle will be examined at one of the Council's authorised testing stations and must pass the MOT and Compliance tests before being issued a licence.

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8.1 This is not a matter that requires consultation.

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