

REGULATORY PANEL

Friday, 2 December 2022

Present:

Councillors S Bennett
D Burgess-Joyce
C Davies

86 **APPOINTMENT OF CHAIR**

In the absence of the Chair, it was –

Resolved – That Councillor S Bennett be appointed Chair for this meeting.

87 **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.

88 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA PRIUS PLUS, REGISTRATION NUMBER LX18 SZV**

The Head of Legal Services reported upon an application received to license a Toyota Prius Plus, registration number LX18 SZV as a Private Hire Vehicle to carry six passengers.

It was reported that the current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence included the following:

- The vehicle must be fitted (in addition to the front drivers and passengers doors) with at least two side/rear opening doors and all doors must be easily accessible to all passengers and capable of being opened from inside.

In accordance with the above criteria, the vehicle had been issued with a Private Hire Vehicle Licence to carry four passengers on 17 November 2022.

The proprietor of the vehicle had requested that the vehicle be licensed for 6 passengers which would include two rear seats that did not allow easy access to the passenger doors. The proprietor was in attendance at the meeting with the vehicle which was inspected by Members of the Panel who reported that

the two rear seats did not allow easy access to the doors, resulting in there being difficulty in accessing and exiting the vehicle from these seats.

Resolved – That, as there was no good reason to act outside of the Council’s Policy for licensing Private Hire Vehicles, the application to license a Toyota Prius Plus, registration number LX18 SZV as a Private Hire Vehicle to carry six passengers be refused.

89 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO DAILY, REGISTRATION NUMBER GN09 MUP**

The Head of Legal Services reported upon an application received to license an Iveco Daily, registration number GN09 MUP, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 24 January 2019 and the current licence was due to expire on 5 January 2023. The date of first registration of the vehicle was 29 July 2009. It was reported that 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 vehicle had not yet been examined at one of the Council’s authorised testing stations however should the application be granted the vehicle would be tested in accordance with the criteria for licensing Private Hire Vehicles.

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 Iveco Daily, registration number GN09 MUP, as a Private Hire Vehicle be granted for six months subject to the MOT and Compliance tests being satisfactory and any advisories reported as part of the MOT being attended to.

90 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER GY61 VLL**

The Head of Legal Services reported upon an application received to license a Ford Transit, registration number GY61 VLL, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 3 September 2020 and the current licence was due to expire on 29 December 2022. The date of first registration of the vehicle was 30 December 2011. It was reported that 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 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 Ford Transit, registration number GY61 VLL, as a Private Hire Vehicle be granted for six months subject to documentation being provided to the Licensing Authority confirming that the advisories referred to on the MOT certificate had been carried out.

91 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO DAILY, REGISTRATION NUMBER WA60 EWB**

The Head of Legal Services reported upon an application received to license a Iveco Daily, registration number WA60 EWB, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 31 October 2018 and the current licence was due to expire on 12 January 2023. The date of first registration of the vehicle was 15 December 2010. It was reported that 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 vehicle had not yet been examined at one of the Council's authorised testing stations however should the application be granted the vehicle would be tested in accordance with the criteria for licensing Private Hire Vehicles.

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 Iveco Daily, registration number WA60 EWB, as a Private Hire Vehicle be granted for six months subject to the MOT and Compliance tests being satisfactory and any advisories reported as part of the MOT being attended to.

92 **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.

93 **PRIVATE HIRE DRIVER LICENCE (BMD)**

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

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

Members of the Panel and their legal advisor questioned BMD.

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

94 **PRIVATE HIRE DRIVER LICENCE (NU)**

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

Members of the Panel and their legal advisor questioned NU and his legal representative.

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 – That NU’s application for the grant of a Private Hire Driver Licence be refused.