

LICENSING PANEL

Thursday, 14 March 2019

Present: Councillors A Hodson
D Burgess Joyce

Deputy: Councillor C Muspratt (for R Abbey)

116 APPOINTMENT OF CHAIR

In the absence of the Chair, it was -

Resolved – That Councillor A Hodson be appointed Chair for this meeting.

117 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.

118 APPLICATION FOR A STREET COLLECTION PERMIT

The Corporate Director for Business Management reported that an application had been made for a Street Collection Permit from Debra Millican on behalf of the North West Air Ambulance Charity for Sunday 7 April 2019. The proposed collection was to be held during the 'Egg Run' event which was to take place adjacent to 'The Dips' in New Brighton. The application included a request to collect within the vicinity of Claremont Farm, Bebington and within the vicinity of The Tap Public House, Eastham.

It was proposed that there would be no more than 15 persons collecting using sealed buckets.

As the request was for a street collection on a day other than a Saturday, the application could not be determined under delegated powers.

Resolved –

- (1) That the application for a Street Collection Permit in respect of the North West Air Ambulance Charity for Sunday 7 April 2019 be granted.**
- (2) That the collection take place only in the vicinity of the area where the 'Egg Run' will start.**
- (3) That there be no more than 10 persons collecting using sealed buckets.**

119 **APPLICATION FOR A STREET COLLECTION PERMIT**

The Corporate Director for Business Management reported that an application had been made for a Street Collection Permit from Louise Avery on behalf of the Merseyside and Cheshire Blood Bikes Charity for Sunday 7 April 2019. The proposed collection was to be held during the 'Egg Run' event which was to take place adjacent to 'The Dips' in New Brighton.

It was proposed that there would be no more than 10 persons collecting using sealed buckets.

As the request was for a street collection on a day other than a Saturday, the application could not be determined under delegated powers.

Resolved –

- (1) That the application for a Street Collection Permit in respect of the Merseyside and Cheshire Blood Bikes Charity for Sunday 7 April 2019 be granted.**
- (2) That the collection take place only in the vicinity of the area where the 'Egg Run' will start.**
- (3) That there be no more than 10 persons collecting using sealed buckets.**

120 **APPLICATION FOR A STREET COLLECTION PERMIT**

The Corporate Director for Business Management reported that an application had been made for a Street Collection Permit from Amanda Fearnett-Mitchell on behalf of the Claire House Children's Hospice for Sunday 7 April 2019. The proposed collection was to be held during the 'Egg Run' event which was to take place adjacent to 'The Dips' in New Brighton.

It was proposed that there would be no more than 15 persons collecting using sealed buckets.

As the request was for a street collection on a day other than a Saturday, the application could not be determined under delegated powers.

Resolved –

- (1) That the application for a Street Collection Permit in respect of the Claire House Children's Hospice for Sunday 7 April 2019 be granted.**
- (2) That the collection take place only in the vicinity of the area where the 'Egg Run' will start.**
- (3) That there be no more than 10 persons collecting using sealed buckets.**

121 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA PRIUS, REGISTRATION NUMBER FE09 POV**

The Corporate Director for Business Management reported upon an application received to re-licence a Toyota Prius, registration number FE09 POV, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been previously licensed as a private hire vehicle since 6 April 2017 and the current licence was due to expire on 13 March 2019, however it had been extended to the date of this meeting. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

Resolved – That the application to re-licence the Toyota Prius, registration number FE09 POV be granted for a further six months.

122 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN XSARA PICASSO, REGISTRATION NUMBER HV09 KYS**

The Corporate Director for Business Management reported upon an application received to re-licence a Citroen Xsara Picasso, registration number HV09 KYS, beyond the normal over-age date for a licensed private hire vehicle.

This application had been withdrawn prior to the meeting.

123 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL VECTRA, REGISTRATION NUMBER SG09 DXC**

The Corporate Director for Business Management reported upon an application received to re-licence a Vauxhall Vectra, registration number SG09 DXC, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been previously licensed as a private hire vehicle since 8 November 2017 and the current licence was due to expire on 1 March 2019, however it had been extended to the date of this meeting. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

Resolved – That the application to re-licence the Vauxhall Vectra, registration number SG09 DXC be granted for a further six months subject to the window wiper being repaired and a further inspection of the vehicle by a Licensing Officer.

124 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER HJ09 ZHZ**

The Corporate Director for Business Management reported upon an application received to re-licence a Ford Mondeo, registration number HJ09 ZHZ, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been previously licensed as a private hire vehicle since 6 April 2018 and the current

licence was due to expire on 31 March 2019. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

Resolved – That the application to re-licence the Ford Mondeo, registration number HJ09 ZHZ be granted for a further six months.

125 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MAZDA 6, REGISTRATION NUMBER VO09 XFM**

The Corporate Director for Business Management reported upon an application received to re-licence a Mazda 6, registration number VO09 XFM, beyond the normal over-age date for a licensed private hire vehicle. The vehicle had been previously licensed as a private hire vehicle since 5 July 2017 and the current licence was due to expire on 30 March 2019. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificate was available for Members.

The owner of the vehicle was present at the meeting with his vehicle which members of the Panel inspected.

Resolved – That the application to re-licence the Mazda 6, registration number VO09 XFM be granted for a further six months.

126 **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.

127 **PRIVATE HIRE DRIVER LICENCE (GRA)**

The Corporate Director for Business Management reported upon an application received by Mr GRA for the grant of a Private Hire Driver Licence.

Mr GRA did not attend the meeting.

Resolved – That Mr GRA be instructed to attend a future meeting of the Licensing Panel should he wish to pursue his application.

128 **PRIVATE HIRE DRIVER LICENCE (CPB)**

The Corporate Director for Business Management reported upon an application received by Mr CPB for the grant of a Private Hire Driver Licence. Mr CPB attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr CPB regarding the circumstances and nature of his convictions as well as other material information relevant to his application.

Members did not consider MR CPB to be a fit and proper person to be a Private Hire Driver due to the convictions recorded against him and his failure to disclose these on his application form.

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.

Members considered paragraph 14.5 of their Policy in coming to this determination and were not persuaded to act outside of their Policy.

Resolved - That Mr CPB's application for the grant of a Private Hire Driver Licence be refused.

129 **HACKNEY CARRIAGE DRIVER LICENCE (SJB)**

The Corporate Director for Business Management reported upon an application received by Mr SJB for the grant of a Hackney Carriage Driver Licence.

Mr SJB did not attend the meeting.

Mr H attended the meeting with his father on behalf of Mr SJB however as no written authorisation had been provided for him to represent Mr SJB this matter could not be considered.

Resolved – That Mr SJB be instructed to attend a future meeting of the Licensing Panel should he wish to pursue his application.