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LICENSING PANEL

Thursday, 11 April 2019

<u>Present:</u>	Councillors	RL Abbey G Wood A Hodson D Burgess-Joyce D Mitchell G Davies
<u>Apologies</u>	Councillor	P Stuart

130 APPOINTMENT OF CHAIR

In the absence of the Chair, it was:

Resolved -

That Councillor Ron Abbey be appointed Chair for this meeting.

131 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 declarations were received.

132 PRIVATE HIRE VEHICLE LICENCE APPLICATION, AUDI A6, REGISTRATION NUMBER MT15 ECJ

The Corporate Director for Business Management reported upon an application received to licence an Audi A6, registration number MT15 ECJ 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.

The owner of the vehicle was present at the meeting. Members inspected the vehicle and asked questions of the applicant.

Members considered the criteria for licensing Private Hire Vehicles in coming to this determination and took into account that the applicant was aware of the criteria before purchasing the vehicle. Subsequently, the Licensing Panel were not persuaded to act outside of their Policy.

Resolved – That the application to license an Audi A6, registration number MT15 ECJ, be refused.

133 PRIVATE HIRE VEHICLE LICENCE APPLICATION, VAUXHALL INSIGNIA, REGISTRATION NUMBER DU09 DTK

The Corporate Director for Business Management introduced a report to consider an application to re-license a Vauxhall Insignia, registration number DU09 DTK, beyond the normal over-age date for a licensed Private Hire Vehicle.

The vehicle had been licensed as a Private Hire Vehicle since 5 April 2018 and the current licence was due to expire on 25 March 2019, however it had been extended to the date of the meeting.

The date of first registration of the vehicle was 25 March 2009. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were 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-license a Vauxhall Insignia, registration number DU09 DTK be granted for a further six months, subject to the advisories on the MOT certificate being carried out before the licence is renewed.

134 **PRIVATE HIRE VEHICLE LICENCE APPLICATION, PEUGEOT 407, REGISTRATION NUMBER SG09 LEF**

The Corporate Director for Business Management introduced a report to consider an application to re-license a Peugeot 407, registration number SG09 LEF, beyond the normal over-age date for a licensed Private Hire vehicle.

The vehicle had been licensed as a Private Hire Vehicle since 20 January 2016 and the current licence was due to expire on 30 April 2019.

The date of first registration of the vehicle was 30 April 2009. The vehicle had been examined at one of the Council's authorised testing stations and the pass certificates were 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 Peugeot 407, registration number SG09 LEF be granted for a further six months, subject to the advisories on the MOT certificate being carried out before the licence is renewed.

135 **HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION, MERCEDES M8, REGISTRATION NUMBER PJ59 AYX**

The Corporate Director for Business Management reported upon an application to license a Mercedes M8, registration number PJ59 AYX, as a Hackney Carriage Vehicle.

The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence is as follows:

- (i) That every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) That every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) That every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) That all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) That every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

The vehicle subject to the application had been licensed as a Hackney Carriage Vehicle since 25 March 2013. The expiry date of the licence was 24 March 2019.

On 20 March 2019, the applicant telephoned the Licensing Office to make an appointment to transfer the Hackney Carriage Vehicle Licence into his name. There was no record of the applicant stating he wished to renew the licence. An appointment was made for 1 April 2019 for a vehicle transfer. As the licence had expired, officers were unable to transfer it or renew it. The applicant was advised that he must apply for the grant of a Hackney Carriage Vehicle Licence. As the vehicle did not comply with the criteria for granting a Hackney Carriage Vehicle Licence, in that the vehicle was more than three years old, a licence could not be granted under delegated authority.

The owner of the vehicle was present at the meeting with his vehicle and was accompanied by a representative. Members of the Panel inspected the vehicle. Members questioned the applicant and his representative.

Resolved - That the application to license a Mercedes M8 as a Hackney Carriage Vehicle be granted for 12 months, subject to the advisories on the MOT certificate being carried out before the licence is issued.

136 **EXEMPT INFORMATION - EXCLUSION OF MEMBERS 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 the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act.

137 **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 attended the meeting and made representations in respect of his application.

Members gave due consideration to the representations made by Mr GRA regarding the circumstances and nature of his conviction as well as other material information relevant to his application.

Members had regard to their Policy, however, after careful consideration of the representations made, exercised their right to consider each case on its individual merits and on this occasion Members were persuaded to act outside of their Policy.

Resolved – That Mr GRA’s application for the grant of a Private Hire Driver Licence be approved.

138 **PRIVATE HIRE DRIVER LICENCE (JKD)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr JKD should continue to hold a Private Hire Driver Licence. Mr JKD attended the meeting and made representations to the Licensing Panel as to why he should be allowed to continue to hold a Private Hire Driver Licence.

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

Resolved – That:

- (1) Mr JKD be allowed to continue to hold a Private Hire Driver Licence.**
- (2) Mr JKD be issued with a written warning from Members of the Licensing Panel as to his future conduct.**

139 **HACKNEY CARRIAGE DRIVER LICENCE (SGR)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr SGR should continue to hold a Hackney Carriage Driver Licence. Mr SGR attended the meeting and made representations in respect of why he should be allowed to continue to hold a Hackney Carriage Driver Licence

Members considered the representations made by Mr SGR regarding his convictions.

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

Resolved – That:

- (1) That Mr SGR be allowed to continue to hold a Hackney Carriage Driver Licence.**
- (2) That Mr SGR be issued with a written warning from Members of the Panel as to his future conduct.**

140 **PRIVATE HIRE DRIVER LICENCE (DFK)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr DFK should continue to hold a Private Hire Driver Licence. Mr DFK attended the meeting, accompanied by his solicitor, and made representations in respect of whether he should be allowed to continue to hold a Private Hire Driver Licence.

Members questioned Mr DFK and gave due consideration to his representations.

Resolved - That Mr DFK be allowed to continue to hold a Private Hire Driver Licence.

141 **PRIVATE HIRE DRIVER LICENCE (JDP)**

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

Mr JDP did not attend the meeting.

Resolved - That Mr JDP be advised to attend a future meeting of the Licensing Panel should he wish to continue with his application.

142 **PRIVATE HIRE DRIVER LICENCE (JJQ)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr JJQ should be granted a Private Hire Driver Licence. Mr JJQ attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr JJQ regarding his convictions.

Members gave due consideration to Mr JJQ's representations.

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

143 **PRIVATE HIRE DRIVER LICENCE (MAO)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr MAO should be granted a Private Hire Driver Licence. Mr MAO attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr MAO regarding his convictions.

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

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

144 **PRIVATE HIRE DRIVER LICENCE (JPG)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr JPG should be granted a Private Hire Driver Licence. Mr JPG attended the meeting and made representations in respect of his application.

Members considered the representations made by Mr JPG regarding his convictions.

Members gave due consideration to Mr JPG's representations.

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

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

The Corporate Director for Business Management submitted a report for Members to consider whether Mr SJB should be granted a Private Hire Driver Licence. Mr SJB attended the meeting, accompanied by a friend, and made representations in respect of his application.

Members were asked to adjourn the matter, to obtain further information. During the adjournment, Mr SJB left the building. Consequently, Members were unable to deal with the application.

Resolved - That Mr SJB be advised to attend a future meeting of the Licensing Panel should he wish to continue with his application.

146 **PRIVATE HIRE DRIVER LICENCE (CJP)**

The Corporate Director for Business Management submitted a report for Members to consider whether Mr CJP should be allowed to continue to hold a Private Hire Driver Licence. Mr CJP attended the meeting, accompanied by his representative and made representations.

Members gave due consideration to Mr CJP's representations and those made by his representative, on his behalf.

Resolved – That:

- (1) Mr CJP be allowed to continue to hold a Private Hire Driver Licence.**
- (2) Mr CJP be issued with a written warning from the Licensing Panel regarding his behaviour.**
- (3) Mr CJP must complete an anger management course and provide evidence to the Licensing Authority that the course was completed. Should Mr CJP fail to provide evidence to the Licensing Authority that he has completed an anger management course by 31 May 2019, he must be referred back to the Licensing Panel for further consideration.**