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REGULATORY PANEL

Friday, 13 January 2023

Present: Councillor A Hodson (Chair)

Councillors S Bennett
L Fraser
D Mitchell

105 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.

106 PRIVATE HIRE VEHICLE LICENCE APPLICATION - CITROEN RELAY, REGISTRATION NUMBER NJ60 OAE

The Head of Legal Services reported upon an application received to license a Citroen Relay, registration number NJ60 OAE, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 6 August 2018 and the current licence was due to expire on 5 February 2023. The date of first registration of the vehicle was 17 September 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 been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting together with the driver and the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Citroen Relay, registration number NJ60 OAE, as a Private Hire Vehicle be granted for six months.

107 PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL INSIGNIA, REGISTRATION NUMBER BL12 RTO

The Head of Legal Services reported upon an application received to license a Vauxhall Insignia, registration number BL12 RTO, outside the current age policy for licensing Private Hire Vehicles.

This application was withdrawn prior to the hearing.

108 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VOLKSWAGEN PASSAT, REGISTRATION NUMBER VA62 NLT**

The Head of Legal Services reported upon an application received to license a Volkswagen Passat, registration number VA62 NLT, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 26 March 2018 and the current licence was due to expire on 30 January 2023. The date of first registration of the vehicle was 30 January 2013. 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 Volkswagen Passat, registration number VA62 NLT, 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.

109 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - VAUXHALL ASTRA, REGISTRATION NUMBER BT12 YFP**

The Head of Legal Services reported upon an application received to license a Vauxhall Astra, registration number BT12 YFP, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 21 February 2018 and the current licence was due to expire on 16 January 2023. The date of first registration of the vehicle was 16 July 2012. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting together with the driver and the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Vauxhall Astra, registration number BT12 YFP, as a Private Hire Vehicle be granted for six months.

110 **HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION - LTI TX4, REGISTRATION NUMBER LS07 GPF**

The Head of Legal Services reported upon an application received to license a LTI TX4, registration number LS07 GPF, outside the current age policy for

licensing Hackney Carriage Vehicles. The vehicle was first licensed as a Hackney Carriage Vehicle on 16 December 2009 and the most recent licence expired on 17 December 2022 as the applicant was unable to have repairs completed on the vehicle or have the vehicle tested in advance of the licence expiring. The date of first registration of the vehicle was 10 May 2007. 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 attended the meeting together with Gary Gregory, Unite the Union with the vehicle which was inspected by Members.

Resolved – That the application to license a LTI TX4, registration number LS07 GPF as a Hackney Carriage Vehicle be granted.

111 **HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION - HYUNDAI IONIQ 5**

The Head of Legal Services reported upon an application received to determine whether the Hyundai Ioniq 5 should be licensed as a Hackney Carriage Vehicle and whether the electric powered Hyundai Ioniq 5 registration number KY22 XMG should be licensed as a Hackney Carriage Vehicle.

The criteria for licensing Hackney Carriage Vehicles includes a requirement for the vehicle to be purpose built and built to accommodate disabled passengers in wheelchairs within the rear passenger compartment. The criteria were set out within Appendix 1 attached to the report. The Hyundai Ioniq 5 is not a purpose built Hackney Carriage Vehicle and it is not wheelchair accessible in that it is not possible for a wheelchair using passenger to remain seated in their wheelchair whilst travelling in the vehicle. The date of first registration of the vehicle is 3 March 2022.

Members of the Regulatory Panel were asked to consider whether the Hyundai Ioniq 5 may be licensed as a Hackney Carriage Vehicle and, if so, whether to license the electric powered Hyundai Ioniq 5, registration number KY22 XMG as a Hackney Carriage Vehicle. The vehicle had not yet been examined at one of the Council's authorised testing stations.

The proprietor of the vehicle attended the meeting together with individuals in support of the application.

Resolved –

- (1) That the Hyundai Ioniq 5 was not of such design to be licensed as a Hackney Carriage Vehicle outside of the current criteria for licensing Hackney Carriage Vehicles.**

- (2) That the application to license the electric powered Hyundai Ioniq 5, registration number KY22 XMG as a Hackney Carriage Vehicle be refused.

Councillor L Fraser left the meeting.

112 **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.

113 **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCE APPLICATIONS (KMC)**

The Head of Legal Services submitted a report for Members to consider whether KMC should be granted a Private Hire Driver Licence and a Hackney Carriage Driver Licence

KMC and their partner attended the meeting and made representations in respect of the application.

Members of the Panel and their legal advisor questioned KMC.

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 KMC’s application for a Private Hire Driver Licence and a Hackney Carriage Driver Licence be granted.