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REGULATORY PANEL

Thursday, 2 February 2023

Present: Councillors A Hodson (Chair)
S Bennett
D Mitchell

114 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.

115 PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT TRAFIC, REGISTRATION NUMBER LX61 DGE

The Director of Law and Governance reported upon an application received to license a Renault Trafic, registration number LX61 DGE, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 3 September 2018 and the current licence was due to expire on 21 February 2023. The date of first registration of the vehicle was 21 February 2012. 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 certificate had been provided to Members. The vehicle had not yet passed the Compliance test due to repairs required to the paintwork.

The Fleet Manager of A Team Wirral Ltd was present at the meeting together with a representative of Unite the Union and the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Renault Trafic, registration number LX61 DGE, as a Private Hire Vehicle be granted for six months subject to having passed the Compliance Test.

116 PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO DAILY, REGISTRATION NUMBER WA60 EWG

The Director of Law and Governance reported upon an application received to license a Iveco Daily, registration number WA60 EWG, outside the current

age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 31 August 2018 and the current licence was due to expire on 16 February 2023. The date of first registration of the vehicle was 20 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 been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The Fleet Manager of A Team Wirral Ltd was present at the meeting together with a representative from Unite the Union and the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Iveco Daily, registration number WA60 EWG, as a Private Hire Vehicle be granted for six months.

117 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - CHEVROLET CRUZE, REGISTRATION NUMBER MK13 EYD**

The Director of Law and Governance reported upon an application received to license a Chevrolet Cruze, registration number MK13 EYD, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 17 August 2021 and the current licence was due to expire on 16 February 2023. The date of first registration of the vehicle was 18 March 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 Chevrolet Cruze, registration number MK13 EYD, as a Private Hire Vehicle be granted for six months.

118 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER DA62 HKY**

The Director of Law and Governance reported upon an application received to license a Ford Mondeo, registration number DA62 HKY, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 13 February 2015 and the current licence was due to expire on 4 February 2023. The date of first registration of the vehicle was 4 February 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 Ford Mondeo, registration number DA62 HKY, as a Private Hire Vehicle be granted for six months.

119 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA VERSO, REGISTRATION NUMBER FRZ 4870**

The Director of Law and Governance reported upon an application received to license a Toyota Verso, registration number FRZ 4870, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 17 January 2020 and the current licence was due to expire on 22 February 2023. The date of first registration of the vehicle was 22 February 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 Toyota Verso, registration number FRZ 4870, as a Private Hire Vehicle be granted for six months.

120 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - SKODA OCTAVIA, REGISTRATION NUMBER DK13 JPY**

The Director of Law and Governance reported upon an application received to license a Skoda Octavia, registration number DK13 JPY, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 8 March 2013 and the current licence was due to expire on 19 February 2023. The date of first registration of the vehicle was 1 March 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 Skoda Octavia, registration number DK13 JPY, as a Private Hire Vehicle be granted for six months.

121 **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.

122 **PRIVATE HIRE DRIVER LICENCE REVIEW (GSA)**

The Director of Law and Governance submitted a report for Members to consider whether GSA should continue to hold a Private Hire Driver Licence.

GSA attended the meeting and made representations. GSA responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the responses made by GSA.

Members gave due consideration to all of the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved –

- (1) That GSA be allowed to continue to hold a Private Hire Driver Licence.**
- (2) That GSA be issued with a written warning as to their future conduct.**

123 **PRIVATE HIRE DRIVER LICENCE APPLICATION (IH)**

The Director of Law and Governance reported upon an application received by IH for the grant of a Private Hire Driver Licence. IH attended the meeting and made representations in respect of the application.

Members of the Panel and their legal advisor questioned IH.

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 IH’s application for the grant of a Private Hire Driver Licence be refused.

124 **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCE APPLICATIONS (AH)**

The Director of Law and Governance submitted a report for Members to consider whether AH should be granted a Private Hire Driver Licence and a Hackney Carriage Driver Licence

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

Members of the Panel and their legal advisor questioned AH.

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 (2:1 Councillor S Bennett dissenting) – That AH’s application for a Private Hire Driver Licence and a Hackney Carriage Driver Licence be granted for a year.

125 **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCE APPLICATIONS (LS)**

The Director of Law and Governance submitted a report for Members to consider whether LS should be granted a Private Hire Driver Licence and a Hackney Carriage Driver Licence

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

Members of the Panel questioned LS.

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

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