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REGULATORY PANEL

Wednesday, 5 April 2023

Present: Councillors A Hodson (Chair)
S Bennett
D Burgess-Joyce
C Davies
D Mitchell

141 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.

142 PRIVATE HIRE VEHICLE LICENCE REQUEST - KIA CEED, REGISTRATION NUMBER LG13 MXN

The Director of Law and Governance reported upon an application received to license a Kia Ceed, registration number LG13 MXN, outside the current age policy for licensing Private Hire Vehicles. The vehicle had been licensed as a Private Hire Vehicle since 22 October 2019 and the current licence was due to expire on 8 April 2023. The date of first registration of the vehicle was 9 April 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 –

- (1) That the application to license the Kia Ceed, registration number LG13 MXN, as a Private Hire Vehicle be granted for six months.
- (2) That a Conditions Notice be issued requiring the rubber seal on the nearside rear door panel to be sealed properly and stone chip marks on the bonnet and marks on the bumper to be repaired and the vehicle to be presented to a Licensing Officer for inspection with the work completed.

143 PRIVATE HIRE VEHICLE LICENCE REQUEST - TOYOTA PRIUS, REGISTRATION NUMBER EK12 TYG

The Director of Law and Governance reported upon an application received to license a Toyota Prius, registration number EK12 TYG, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 23 July 2020 and the current licence was due to expire on 5 April 2023. The date of first registration of the vehicle was 28 March 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 with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Toyota Prius, registration number EK12 TYG, as a Private Hire Vehicle be granted for six months.

144 **PRIVATE HIRE VEHICLE LICENCE REQUEST - VAUXHALL ZAFIRA, REGISTRATION NUMBER AF13 PSY**

The Director of Law and Governance reported upon an application received to license a Vauxhall Zafira, registration number AF13 PSY, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 25 November 2019 and the current licence was due to expire on 5 April 2023. The date of first registration of the vehicle was 22 March 2013. 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 with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Vauxhall Zafira, registration number AF13 PSY, as a Private Hire Vehicle be granted for six months.

145 **PRIVATE HIRE VEHICLE LICENCE REQUEST - FORD MONDEO, REGISTRATION NUMBER YR13 KHG**

The Director of Law and Governance reported upon an application received to license a Ford Mondeo, registration number YR13 KHG, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 6 December 2019 and the current licence was due to expire on 5 April 2023. The date of first registration of the vehicle was 29 March 2013. 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 with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Ford Mondeo, registration number YR13 KHG, as a Private Hire Vehicle be granted for six months.

146 **PRIVATE HIRE VEHICLE LICENCE REQUEST - MERCEDES-BENZ E300**

The Director of Law and Governance reported upon an application received to license a Mercedes-Benz E300, 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 application also included a request by the proprietor to be exempt from displaying vehicle licence plates and door signs on the vehicle which provided details of the Private Hire Operator.

The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence as set out in the Statement of Hackney Carriage and Private Hire Licensing Policy states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

It was reported that the date of first registration of the vehicle was March 2023 and should a licence be granted, the vehicle would be used to undertake work providing an executive travel service.

It was further reported that should the application be granted it would be necessary for the vehicle to be examined at one of the Council's authorised testing stations in order for it to receive a valid MOT and Compliance certificate.

The applicant attended the meeting with the vehicle which was inspected by Members.

In determining the application, Members took into consideration that the vehicle would be used for executive travel service.

Resolved –

- (1) That due to the restricted use of this vehicle, the application to license the Mercedes-Benz E300, as a Private Hire Vehicle be granted.**
- (2) That the proprietor of the vehicle be provided with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates and door signs on the vehicle with the**

following conditions to be applied to the Private Hire Vehicle Licence and the Private Hire Operator Licence:

- **All bookings must be made at least 24 hours in advance.**
- **Payment for all bookings must be requested through an invoicing system.**
- **The operator must communicate with customers for each booking taken, by text or email, with the following information:**
 - **Private Hire Driver name**
 - **Private Hire Driver photograph**
 - **Private Hire Driver badge number**
 - **Private Hire Vehicle registration number**

For the avoidance of doubt, the above conditions also apply in respect of drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

147 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.

148 PRIVATE HIRE DRIVER LICENCE APPLICATION (JJS)

The Director of Law and Governance reported upon an application received by JJS for the grant of a Private Hire Driver Licence.

JJS attended the meeting and made representations in respect of the application. JJS responded to questions from Members of the Panel and their legal advisor.

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 JJS's application for the grant of a Private Hire Driver Licence be refused.

149 **PRIVATE HIRE DRIVER LICENCE APPLICATION (RAC)**

The Director of Law and Governance submitted a report for Members to consider whether RAC should be granted a Private Hire Driver Licence, however RAC had withdrawn the application prior to the hearing.

150 **PRIVATE HIRE DRIVER LICENCE APPLICATION (SM)**

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

SM attended the meeting and made representations in respect of the application. SM responded to questions from Members of the Panel and the legal advisor to the Panel.

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 (3:2 Councillors A Hodson and D Burgess-Joyce dissenting) - That SM's application for a Private Hire Driver Licence be granted.

151 **PRIVATE HIRE DRIVER LICENCE APPLICATION (SAC)**

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

SAC attended the meeting and made representations in respect of the application. SAC responded to questions from Members of the Panel and the legal advisor to the Panel.

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 SAC's application for a Private Hire Driver Licence be granted.

152 **THANKS TO OFFICERS FROM COUNCILLOR D MITCHELL**

Councillor Dave Mitchell requested to place on record his thanks to officers for their support in light of his forthcoming retirement from the Council.

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