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LICENSING PANEL

Wednesday, 13 December 2023

Present: Councillor A Hodson (Chair)
S Bennett
L Luxon-Kewley
K Murphy

94 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.

Councillor A Hodson declared a personal interest in item 5 – Private Hire Vehicle Licence Application – Skoda Superb, Registration Number DF13 GUW, by virtue of being acquainted with the applicant (minute 98 refers) and item 8 – Ford Tourneo Custom, Registration Number GO52 JET, by virtue of having previously met the applicant's wife (minute 101 refers).

95 PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER GN09 MUP

The Director of Law and Governance reported upon an application received to license an Iveco Ford Daily, registration number GN09 MUP, outside the current age policy for licensing Private Hire vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 24 January 2019 and the current licence was due to expire on 5 January 2024. The date of first registration of the vehicle was 29 July 2009. It was reported that should the application 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 with the vehicle which Members of the Panel inspected.

The applicant described how the vehicle was maintained.

Resolved – That the application to license the Iveco Ford Daily, registration number GN09 MUP, as a Private Hire Vehicle be granted for six months.

96 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER GY61 VLL**

The Director of Law and Governance reported upon an application received to license a Ford Transit, registration number GY61 VLL, as a Private Hire Vehicle, outside of the current age policy for licensing Private Hire vehicles.

The vehicle had first been licensed as a Private Hire Vehicle on 3 September 2020 and the current licence was due to expire on 29 December 2023. The date of first registration of the vehicle was 30 December 2011. 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 certificate had been provided to Members.

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

The applicant described how the vehicle was maintained.

Resolved – That the application to license the Ford Transit, registration number GY61 VLL, as a Private Hire Vehicle be granted subject to the vehicle being re-tested to demonstrate that the advisory on the current MOT had been attended to and that there be no advisories on the MOT.

97 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT BOXER, REGISTRATION NUMBER YF13 XTW**

The Director of Law and Governance reported upon an application received to license a Peugeot Boxer, registration number YF13 XTW, outside of the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 14 November 2022 and the current licence was due to expire on 19 December 2023. The date of first registration of the vehicle was 20 June 2023. It was reported that should the application 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 with the vehicle which Members of the Panel inspected.

The applicant described how the vehicle was maintained.

Resolved – That the application to license the Peugeot Boxer, registration number YF13 XTW, as a Private Hire Vehicle be granted for six months.

98 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - SKODA SUPERB, REGISTRATION NUMBER DF13 GUW**

Councillor A Hodson declared a personal interest in this matter and left the room during its consideration (minute 94 refers).

The Director of Law and Governance reported upon an application received to license a Skoda Superb, registration number DF13 GUW.

The vehicle was first licensed as a Private Hire Vehicle on 12 July 2018 and the current licence was due to expire on 29 December 2023. The date of first registration of the vehicle was 29 June 2013

The proprietor of the vehicle was present at the meeting which Members of the Panel inspected. In response to questions from Members of the Panel and the legal advisor to the Panel, the applicant described how the vehicle was maintained.

Resolved – That the application to license the Skoda Superb, registration number DF13 GUW, as a Private Hire Vehicle be granted for six months.

99 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT MEGANE, REGISTRATION NUMBER BN68 DTU**

The Director of Law and Governance reported upon an application to license a Renault Megane, registration number BN68 DTU, as a Private Hire Vehicle, outside the current criteria for licensing Private Hire Vehicles, which states that the side and rear windows must allow 70% of light to be transmitted through.

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 28 September 2018. The proprietor of the vehicle, Mr Farrell, advised the Licensing Authority that whilst it was possible for the two rear side passenger

windows and rear window to be changes to clear glass, it was not possible to replace the rear side quarter windows.

The applicant attended the meeting with the vehicle which the Panel inspected.

Members considered carefully the responses given by Mr Farrell.

Resolved – That the application to license the Renault Megane, registration number BN68 DTU be granted, subject to the rear windows being replaced with glass which allows at least 70% of light through.

100 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT INDEPENDENCE, REGISTRATION NUMBER SF15 HFU**

The Director of Law and Governance reported upon an application received to license a Peugeot Independence, registration number SF15 HFU, outside the current criteria, which states that the side and rear windows must allow at least 70% of light to be transmitted through,

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 was 27 August 2015 and 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.

Resolved – That the application to license the Peugeot Independence, registration number SF15 HFU, as a Private Hire Vehicle be granted, subject to the following:

- **The damage to the passenger rear door must be repaired in order to satisfactorily pass a new Compliance Test;**
- **The livery must be removed from the body of the vehicle;**
- **A metal moveable step, which is engraved with the registration of the vehicle, must be made available in compliance with the vehicle licence conditions; and**
- **The Private Hire Vehicle Licence must have a condition that restricts the use of the vehicle to undertake a contracted journey from Bridle Road, Eastham to the Royal School for the Blind, Liverpool.**

101 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TOURNEO CUSTOM, REGISTRATION NUMBER GO52 JET**

Councillor A Hodson declared a personal interest in this matter (minute 94 refers).

The Director of Law and Governance reported upon an application received to license a Ford Tourneo Custom, registration number GO52 JET, as a Private Hire vehicle, outside the current criteria for licensing Private Hire Vehicles, which state that the side and rear windows must allow at least 70% of light to be transmitted through.

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 as least 70% of light through.

It was reported that the date of first registration of the vehicle was 21 September 2018 and should a licence be granted, the vehicle would be used for an executive travel service.

The applicant attended the meeting with the vehicle, which was inspected by Members. The applicant responded to questions from Members.

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

Resolved – That the application to license the Ford Tourneo Custom, registration number GO52 JET be granted, subject to the following conditions: -

Private Hire Vehicle Licence:

- **All bookings must be made at least 24 hours in advance of the journey.**
- **The vehicle must only undertake work where payment is made through an invoicing system.**
- **The vehicle must only be used in circumstances where the operator has communicated 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.**

Private Hire Operator Licence:

- **All bookings must be made at least 24 hours in advance of the journey.**
- **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, this includes drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

102 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 it involves the likely disclosure of exempt information as defined by paragraph 1 of Part 1 of Schedule 12A (as amended) to that Act. The Public Interest Test has been applied and favours exclusion.

103 PRIVATE HIRE DRIVER LICENCE APPLICATION (LMH)

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

LMH attended the meeting and made representations in respect of the application. LMH 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 LMH’s application for a Private Hire Driver Licence be granted.

104 **PRIVATE HIRE DRIVER LICENCE APPLICATION (DAC)**

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

DAC did not attend the meeting.

Resolved – That DAC attend a future meeting of the Licensing Panel should they wish to pursue their application.

105 **PRIVATE HIRE DRIVER LICENCE APPLICATION (AA)**

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

AA attended the meeting and made representations in respect of the application. AA 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 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 AA's application for the grant of a Private Hire Driver Licence be refused.

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