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LICENSING PANEL

Friday, 28 July 2023

Present: Councillors A Hodson (Chair)
S Bennett
G Davies
L Luxon-Kewley
K Stuart

In attendance: Councillors C McDonald
K Murphy

10 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.

The Chair declared a personal interest in Item 12 – Private Hire Vehicle Licence Request – Mercedes-Benz E220, Registration Number V60 RCR by virtue of being acquainted with the applicant (minute 21 refers).

11 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 28 July 2023. The date of first registration of the vehicle was 29 July 2009. 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 with the vehicle which Members of the Panel inspected.

Resolved – That delegated authority be given to a Licensing Officer to issue a license in respect of Iveco-Ford Daily, registration number GN09 MUP, subject to a further clear MOT certificate being provided and an inspection of the vehicle to ensure the step is working correctly.

12 **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, outside 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 28 July 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 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 delegated authority be given to a Licensing Officer to issue a license in respect of the Ford Transit, registration number GY61 VLL, subject to a further clear MOT certificate being provided.

13 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER WA60 EWB**

The Director of Law and Governance reported upon an application received to license an Iveco-Ford Daily, registration number WA60 EWB, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 31 October 2018 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 15 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 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 Iveco-Ford Daily, registration number WA60 EWB, as a Private Hire Vehicle be granted for six months.

14 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES-BENZ E300, REGISTRATION NUMBER KT13 AXO**

The Director of Law and Governance reported upon an application received to license a Mercedes-Benz E300, registration number KT13 AXO, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 14 July 2022 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 8 July 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 Mercedes-Benz E300, registration number KT13 AXO, as a Private Hire Vehicle be granted for six months.

15 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA AURIS, REGISTRATION NUMBER DF13 KTD**

The Director of Law and Governance reported upon an application received to license a Toyota Auris, registration number DF13 KTD, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 5 October 2017 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 26 June 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 (4:1 Councillor G Davies dissenting) - That the application to license the Toyota Auris, registration number DF13 KTD, as a Private Hire Vehicle be granted for six months.

16 **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 August 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 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 DA62 HKY, as a Private Hire Vehicle be granted for six months.

17 **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 proprietor of the vehicle did not attend the meeting.

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

18 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER WA60 EWG**

The Director of Law and Governance reported upon an application received to license an Iveco-Ford Daily, registration number WA60 EWG, outside the current age policy for licensing Private Hire Vehicles.

The proprietor of the vehicle did not attend the meeting.

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

19 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES-BENZ V220, REGISTRATION NUMBER A22 PEC**

The Director of Law and Governance reported upon an application received to license a Mercedes-Benz V220, registration number A22 PEC, 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 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 31 July 2017 and should a licence be granted, the vehicle would be used to undertake work providing an executive travel service.

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

Resolved – That the application to license the Mercedes-Benz V220, registration number A22 PEC, as a Private Hire Vehicle be refused.

20 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT INDEPENDENCE, REGISTRATION NUMBER SF65 FKR**

The Director of Law and Governance reported upon an application received to license a Peugeot Independence, registration number SF65 FKR, 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 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 30 January 2016 and should a licence be granted, the vehicle would be used to undertake home to school contract work.

It was further reported that the vehicle had been examined at one of the Council's authorised testing stations and the MOT certificate was distributed to Members.

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 home to school contract work with an escort present at all times and that the vehicle had been purpose NHS built for privacy.

Resolved – That the application to license the Peugeot Independence, registration number SF65 FKR, as a Private Hire Vehicle be granted subject to the step being in correct working order, the chevrons/stripes on the vehicle being removed and the following conditions being attached to the licence:

- The vehicle must only be used on the specific home to school contract that will be identified in the licence.
- There must be an escort travelling in the vehicle at all times it is being used under the home to school contract.

21 **PRIVATE HIRE VEHICLE LICENCE REQUEST - MERCEDES-BENZ E220, REGISTRATION NUMBER V60 RCR**

The Chair declared a personal interest in this matter and left the room during its consideration.

Vice-Chair in the Chair.

The Director of Law and Governance reported upon an application received to exempt a Mercedes-Benz E220, registration number V60 RCR from displaying Private Hire Vehicle Licence plates and from displaying door signs which provide details of the Private Hire Operator.

The vehicle was first licensed as a Private Hire Vehicle on 1 December 2021 and the current licence was due to expire on 30 November 2023 and was therefore subject to the conditions attached to that licence. The date of first registration of the vehicle was 1 March 2019.

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

The proprietor of the vehicle outlined his business model to Members of the Panel in that he provides an executive travel service. He submitted to the Licensing Panel that he considered having an exemption to displaying vehicle licence plates and door signs on the vehicle would enable him to offer a more discreet service to his customers who do not want the vehicle to be identified as a Private Hire Vehicle. He further submitted that having the number displayed on door signs results in him receiving unwanted calls from people wishing to book a Private Hire Vehicle. The proprietor of the vehicle has held a Private Hire Driver Licence since 24 December 2013 which was due to expire on 23 December 2024 and a Private Hire Operator Licence since 6 April 2016 which was due to expire on 19 January 2027.

Resolved – That the application to exempt the Mercedes-Benz E220, registration number V60 RCR from displaying Private Hire Vehicle Licence plates and from displaying door signs which provide details of the Private Hire Operator be granted with the condition that the Private Hire Vehicle Licence plates be kept inside the vehicle.

22 **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.

23 **PRIVATE HIRE DRIVER LICENCE APPLICATION (ZM)**

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

ZM attended the meeting and made representations in respect of the application. ZM responded to questions from Members of the Panel and the legal assistant 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 ZM's application for a Private Hire Driver Licence be granted.

24 **PRIVATE HIRE DRIVER LICENCE APPLICATION (AREW)**

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

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

25 **PRIVATE HIRE DRIVER LICENCE REVIEW (SJMCC)**

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

SJMcC did not attend the meeting.

Resolved – That SJMcC be instructed to attend a future meeting of the Licensing Panel.