

Committee: Licensing and Environmental Health Committee

Agenda Item

Date: 2 June 2014

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Title: Determination of a Private Hire Operator's Licence

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Item for decision

Summary

- 1 This report is to inform Members of an application for the grant of a Private Hire Operator's Licence.

Recommendations

- 2 The Committee determine this application.

Background Papers

The Standard Disclosure and Barring Service Certificate
Licensing Standards - Operators
Private Hire Operator's application form
Committee Report dated 4th March 2014
Minutes of Committee Meeting dated 4th March 2014
Renewal Notice in the name of Mrs M Ockenden dated 11th December 2013
Company House Appointments Vectio Limited
Company House Appointments Vargo Transport Services Limited

Impact

Communication/Consultation	None
Community Safety	The authority has a duty only to licence operators who are considered to be fit and proper
Equalities	None.
Finance	None.
Health and Safety	None.
Legal implications and Human Rights	Members are obliged to grant a licence to an applicant, but must not grant a licence unless they are satisfied that the applicant is a fit and proper person. In the event the application is refused the

	<p>applicant has a right of appeal to a Magistrates Court.</p> <p>Whilst it is legitimate for councils to have policies, they may not be rigidly bound by them and must be prepared to make exceptions to policy in appropriate circumstances.</p>
Sustainability	None.
Ward-specific impacts	None.
Workforce/Workplace	None.

Situation

- 1 Megan Ann Ockenden of 116 Sheering Lower Road, Sawbridgeworth, Hertfordshire has made application to this authority for the grant of a Private Hire Operator's Licence.
- 2 In view of details surrounding this application officers believe that it is prudent not to use their delegated powers but to refer this matter to the Licensing and Environmental Health Committee for members to decide this application.
- 3 The applicant does meet our licensing standards as laid down by the current Hackney Carriage and Private Hire Licensing Policy.
- 4 Mrs Ockenden now seeks to apply to this authority for the grant of a licence to operate a company trading as Vectio of whom she is the sole director which is registered as a limited company at Companies House. Furthermore she may at a later stage apply to this authority for a licence in respect of another company trading as Vargo Transport Services Ltd which again she is the sole director. This company is also registered at Companies House. Both companies have been registered for the past 3 months.
- 5 The operating base for both companies will be Unit 10 Heathview, Pond Lane, Hatfield Heath. This address is also the base of a current licensed Private Hire Operator who trades as A2B Contract Cars. The licence in respect of this company was granted on 20th March 2014 to a Philip Hudson who took over the Essex County Council School Contracts in lieu of Car Service Travel who had their licence revoked by this committee on 4th March 2014.
- 6 Mrs Ockenden did work for Car Service Travel in an administrative capacity and was aware of the incidents that lead up to the revocation of the private hire operator's licence and the subsequent prosecutions which resulted in convictions at Colchester Magistrates Court on 8th April 2014. Car Service Travel started operating in this district on 15th December 2011.

- 7 She is currently co-habiting with James Lawson the former director of Car Service Travel but is adamant that he would not be party to any future business ventures that she may undertake.
- 8 If her application were successful she intends to tender solely for Essex County Council School Contracts when the rounds of tendering become available prior to the commencement of the new school curriculum starting in September 2014. It should be noted that she will employ drivers and vehicles licensed by this authority and she does not intend to expand her business outside the remit of school contracts. No vehicles would be kept at Hatfield Heath but they would be taken home by the driver after the completion of the school run. At present she does not hold any school contracts.
- 9 Her plans are to share Unit 10 with A2B Contract Cars but not on a full time basis as she expects to be at Hatfield Heath for only about 2 days per week.
- 10 Mrs Ockenden currently holds a Combined Hackney Carriage/Private Hire Driver's Licence issued by this authority which is due to expire on 31st December 2014. At the time of renewal she indicated that she was driving on behalf of Car Service Travel.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
An unsuitable person may be permitted to operate.	2 It is likely that members will take note of the association the applicant had previously with Car Service Travel.	3 The public may be put at risk.	The applicant may appeal to a Magistrates Court if she feels aggrieved by any decision members make.