

LICENSING PANEL**26 JANUARY 2018**

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE
REPORT OF	MANAGING DIRECTOR FOR DELIVERY

REPORT SUMMARY

The purpose of this report is to consider an application to licence the following vehicle: a Mercedes V250D, registration number DG67 YUT 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. Members are also asked to consider allowing the vehicle to be exempt from displaying Private Hire Vehicle Licence plates and the drivers of the vehicle to be exempt from wearing a Private Hire Driver Badge.

RECOMMENDATION/S

That the Panel consider whether or not to license this vehicle and to provide the proprietor of the vehicle registration number DG67 YUT with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicle and to exempt the drivers from the requirement to wear a Private Hire Driver Badge.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to determine matters relating to Private Hire Licences where officers do not have delegated authority.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

- 3.1 The vehicle is not currently licensed as a Private Hire Vehicle as it does not comply with the Private Hire Vehicle criteria requiring a minimum of 70% light transmission through the side and rear windows in that the windows of this vehicle are tinted to a high degree.
- 3.2 The proprietor of the vehicle, Mr Astbury, has applied to license the vehicle with tinted windows due to the type of work he intends to undertake. The proprietor has also requested an exemption from displaying the plates on the vehicle and to exempt the drivers from wearing a Private Hire Driver Badge. The applicant states that he intends to undertake chauffeuring work which is booked in advance. Full details are provided in the document submitted by the proprietor attached at Appendix 1.
- 3.3 Lack of visibility caused by 'tinted glass' is seen as a serious public safety issue. It is deemed best practice and in the interests of passenger and driver safety, and an aid to enforcement, if there is good visibility through windows.
- 3.4 The Council may exempt a vehicle from the requirement to display a plate or wear a badge in accordance with section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 which states:
- (3) Where a licence under section 48 of this Act is in force for a vehicle, the council which issued the licence may, by notice in writing given to the proprietor of the vehicle, provide that paragraph (a) of subsection (6) of that section shall not apply to the vehicle on any occasion specified in the notice or shall not apply while the notice is in the vehicle; and on any occasion on which by virtue of this subsection that paragraph does not apply to a vehicle section 54(2)(a) of this Act shall not apply to the driver of the vehicle.
- 3.5 This provides that a notice can be given by the Council that removes the need to display a plate and also dispenses with the requirement contained in section 54(2) of the Act that the driver should wear his badge in such a position and manner as to be plainly and distinctly visible.
- 3.6 The criteria for licensing Private Hire Vehicles is attached at Appendix 2. Members should note the criteria in paragraph 36 relating to tinted windows.

3.7 The vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 A decision of this Panel can be subject to appeal.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 The lack of visibility caused by tinted windows is a potential public safety issue.

7.2 The display of plates and badges provide a form of recognition and reference to members of the public that the vehicle and driver are licensed. The absence of plates or badges may affect the ability of members of the public to report incidents relating to the driver of the vehicle.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

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APPENDICES

Appendix 1 – Business plan

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

DRAFT WEB PAGE/BUSINESS PLAN

Premier Executive Travel , offer a friendly affordable chauffeur service tailored to your requirements , we want you to genuinely enjoy your experience using our brand new top of the range Mercedes V Class AMG 250 model taking a maximum of 6 passengers with conference seating in comfort and space (folding table) , panoramic sunroof climate control luxury model etc. This vehicle was rated as the number one MPV by "TheChauffeur.com". The V Class has to be the Chauffeurs choice for moving a quantity of VIP's in luxury, thats why the V Class takes the top spot as the best MPV for chauffeur work '

We are Licensed and regulated by Wirral Borough Council however we can accept advance bookings pick up at any location and drive to any destination in the UK , we do not have any advertising on our vehicles or external license plates so as to offer a discreet professional Chauffeur service.

Contact

Please contact Mark to discuss your requirements, we are flexible, reliable and endeavour to give you the best possible service at a realistic price, simply email the link below with a brief description of what service you would like, and when.

Type of work

Sporting Events Chauffeuring (this is a list to give you a taster and by no means exhaustive we will consider any event of your choice)

Cricket : Test Match , Racing Ascot , Aintree, Cheltenham, Chester , Golf : Open , Motor Racing: Formulae One , Rugby: 5 Nations , Yachting : Fastnet Race, Superbike: World Championship Donington Park on 25-27 May 2018

Special Occasions

Weddings: Engagements; Christenings: Anniversaries

If you wish to go that extra mile for your guests why not hire our services for the day / evening, we can collect friends and family transport them to your function and deliver them home again safe and sound.

Special events (some of these events are iconic and forward planning is required, we will work with you to plan your journey)

Goodwood festival, Isle of Wight festival , Edinburgh Festival , Glastonbury Festival

VIP & Corporate Chauffeuring (this will be targeted at local companies , Hotels and businesses)

Client, staff, tailored journeys

If you wish to give your clients and staff the VIP treatment we can meet and greet at pick up , take them to their destination whilst remaining friendly , business like and discrete .

Luxury Business Travel

We will be partnering up with ITC Travel Group Ltd, who have a reputation for delivering exceptional luxury holidays to some of the worlds most desirable destinations. Many of their Business / Luxury Travel customers depart from either Gatwick or Stansted Airports with no direct flights from Manchester or Liverpool we are working with travel company to offer a door to door service for their clients without the need to check in one airport, and transfer to final destination airport which is time consuming , expensive and stressful, we

will also be chauffeuring the companies staff saving travel time , expense and accommodation.

Airport Transfers & Pickups

We will collect your passengers in good time for your journey having assessed ,flight information travel updates and weather conditions and drop off as near as possible to your terminal building, on collection we will park and greet you at agreed pick up point help with your luggage ready for your journey home

Liverpool, Manchester , Leeds , Birmingham, Bristol, Newcastle, Edinburgh , Glasgow
London Gatwick, London Heathrow, London Stansted, Luton

Perhaps you have great deal for a UK Airport that you would normally not travel to and in many cases no direct flight from say Manchester to Stansted , let us collect and take you direct , avoiding time consuming security , terminal access and parking problems

Activities

Why not let us organise a activity for you , your friends , clients or family sometimes due to the extra effort involved it would be great and hassle free if someone else organised a activity for you, your friends and / or your family , help take the stress out and put the fun back into enjoying life choose from Sailing, Hunting, Shooting, Fishing, Walking cycling

Sightseeing chauffeur Tours

Hire our exclusive service for the duration of your stay , we can collect you from any destination in the UK and design and plan your ideal vacation travel / tour mix business with pleasure and use our vehicle with driver as your base take in all the sights after planning your itinerary together. specialising in VIP private Beatles tour in and around Liverpool .

Away days (this is targeted at executive / corporate customers entertaining clients)

All prices include return travel especially formulated for both Liverpool and Everton fans Arsenal , Brighton, Bournemouth Chelsea , Crystal Palace , Leicester , Newcastle , Southampton, Swansea , Tottenham ,Watford , West Ham

We can take up to 6 passengers to your selected away day, (this list is not comprehensive all destinations considered) we will drop you off in good time for kick off , wait until final whistle and a little refreshment experienced then return back to base as a all in return price.

Evenings out

Why not spoil your loved ones with a chauffeur service we are more than happy to arrange your transport for a evening out, whether it is exclusive Restaurant attending a Prom for your young adult ,or boys Bar Mitzvah we will be your designated driver from start to finish bringing everyone home safe and sound,

Over and beyond the call of duty

Over night Stays , in some cases to save the environment with unnecessary empty return journeys and your wallet it is more beneficial and convenient to stay over at particular destination , we would charge a one way fare, waiting time and driver accommodation this would work out more cost effective than two separate long distance journeys.

Information

All prices listed on web site are estimated and a firm price will be quoted upon each enquiry , unless otherwise stated all journeys are one way , waiting time for return journeys will be charged at the rate of £25 per hour , One pick up point is the quoted price Journeys with additional pick up or mileage will be charged at the rate of X/ Per mile under 50 miles and X per mile under 20 miles

All prices exclude Tolls and parking charges

No passenger is permitted to consume alcohol whilst vehicle is travelling, seat belts must be worn at all times whilst vehicle in motion , children of the age of 10 and under are not permitted to travel in the front seats, child seats as appropriate may be available if requested in advance.

If for any reason your flight is delayed we will monitor the situation and amend our travel plans ,

payment - all journeys over 20 miles will be pre paid prior to commencement of journey , we can invoice you to make payment by following the link or you can make payment by cash or credit / debit card at time of boarding

When we accept a booking we will take a 25% deposit not refundable if cancelled 24 hours before planned journey

On long journeys , rest and comfort breaks will be taken as and when required in the interest of passenger and driver safety

Private Hire Vehicle Criteria

The legislation gives local authorities a wide discretion over the types of vehicles that can be licensed as private hire vehicles.

Wirral Council must be satisfied that vehicles licensed as private hire vehicles are suitable in type, size and design for use as private hire vehicles, that it is in a suitable mechanical condition and is safe and comfortable.

In this document the "Licensing Authority" means Wirral Council, its Licensing Health and Safety and General Purposes Committee, its Licensing Panel and its Officers.

Although the criteria set out in this document may have been met, approval for the issuing of a licence may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for use as a private hire vehicle to transport members of the public for hire and reward.

A vehicle that meets the criteria to be licensed as a private hire vehicle must have passed the MOT and Compliance Test in accordance with the Licensing Authority's procedure for testing vehicles before it can be licensed and before each renewal of that licence. Further tests and inspections may be carried out as directed by the Licensing Authority or Merseyside Police.

MOT or Compliance Test Pass Certificates submitted more than 28 days after the date of test will not be accepted.

A vehicle licensed as a private hire or hackney carriage vehicle with any other local authority will not be licensed by Wirral Council.

VEHICLE AGE POLICY

1. Vehicles must be under 10 years of age from the date of manufacture or date of first registration, whichever is the earliest.
2. Once a vehicle reaches 6 years of age it will be required to be tested every six months and a six monthly licence will be issued.
3. Any vehicle which is more than 9 years and 6 months old will be issued with a licence that will expire on the day before it reaches 10 years old

GENERAL CONSTRUCTION

4. The vehicle must be fitted with at least 4 doors and 4 wheels
5. The vehicle must be capable of carrying at least 4 and not more than 8 passengers in addition to the driver.
6. The vehicle must be fitted (in addition to the front drivers and passengers doors) with at least two side/rear opening doors and all doors must be easily accessible to all passengers and capable of being opened from inside.
7. Any vehicle with a top tread for the entrance which exceeds 38cm must be fitted with a step to allow easy access to and egress from the vehicle. Any vehicle that does not have a step fitted must carry a portable step to be available for use by all passengers.
8. The vehicle must comply in all respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980 and the Motor Vehicle (Type Approval) Regulations (Great Britain)

1984 and be M1 type approved in accordance with European Whole Vehicle Type Approval 70/156/EEC as amended.

9. Any converted vehicles will be required to hold the appropriate low volume type approval certificate in the M1 classification or the appropriate Individual Vehicle Approval Certificate.
10. The vehicle presented for approval must, as a minimum, comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof.
11. The steering wheel must be on the offside of the vehicle.
12. Unless approved by the Licensing Authority no fittings outside of the manufacturer's specification may be attached to or be carried upon the inside or outside of the vehicle.
13. Any vehicle that has been the subject of significant damage rectification repairs will not be licensed unless such repairs have been carried out in accordance with the manufacturer's specification.
14. Any vehicle which has been disposed of under an insurance salvage agreement 9 category A or B will not be licensed.
15. Where bench seats are fitted to the rear of the vehicle one person will be counted for each complete length of 16" measured in a straight line lengthwise along the front of the seat.

BODYWORK

16. The vehicle must be free from corrosion, damage, or unsatisfactory repairs.
17. Paintwork must be of a high standard and the colour and finish of all panels must match exactly.

WHEELS AND TYRES

18. Where a vehicle is supplied with alloy wheels, all four road wheels must be of the same type and pattern.
19. Where a vehicle is supplied with wheels intended to be fitted with wheel trims, all four road wheels must be fitted with wheel trims of the same pattern.
20. Alloy wheels, wheel rims, and fitted wheel trims must be free from damage and defects which affect the safety, appearance, or integrity of the wheel.
21. Part-worn and remould tyres must comply with the Motor Vehicle Tyres (Safety) Regulations 1994.
22. All tyres, including the spare where applicable, must be the correct size, speed, and load rating for the vehicle as per the manufacturer's specification.
23. All tyres, including the spare where applicable, must be properly inflated in accordance with both the vehicle and tyre manufacturer's specification.
24. All tyres, including the spare where applicable, must have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tyre, and visible tread across the remaining breadth of the tyre.
25. All tyres, including the spare where applicable, must be free from cuts and other defects.

26. The vehicle must carry a method for dealing with a tyre should it become defective. This method must be in accordance with the manufacturer's specification which may be one of the following:
- a. full size spare wheel - which must be the same size and type as the four road wheels and be fitted with a tyre of the same size, speed, and load rating as the four road wheels. Proper tools and equipment for changing the wheel must also be carried.
 - b. space saver spare wheel - which must be the correct size and type for the vehicle and be fitted with a tyre of the correct size, speed, and load rating. The tyre must be correctly inflated in accordance with the manufacturer's specifications. Proper tools and equipment for changing the wheel must also be carried.
 - c. run-flat tyres - which must be fitted to all four road wheels. Run-flat tyres may only be used if the vehicle is fitted with an appropriate and serviceable tyre pressure monitoring system (TPMS).
 - d. emergency tyre sealant and compressor/inflator pack – which must be permanently marked with the vehicle registration number.

ELECTRICAL EQUIPMENT

27. Any additional electrical installation to the original vehicle equipment must be adequately insulated and be protected by suitable fuses. Any electrical installation and components within the vehicle must meet the electromagnetic compatibility (EMC) requirements of UNECE Regulation 10 and be marked accordingly.

INTERIOR LIGHTING

28. Interior lighting must be provided in accordance with the manufacturer's specification. No additional lighting may be fitted.

SEATS

29. Seats must be secure and covered with an appropriate material which must be properly upholstered and in good and clean condition, free from rips, tears and holes.
30. If seat covers are used they must be correctly fitted, in a good and clean condition and free from rips, tears and holes.

SEAT BELTS

31. Vehicles must be fitted with lap and diagonal seatbelts on all seats, including rear facing seats, as per the manufacturer's specification.
32. Seatbelts and seatbelt mechanisms must be in good working order and free from frays, cuts, and other damage, and show no evidence of repair.
33. For the avoidance of doubt any cut, frayed or damaged seatbelt must have been replaced and not repaired.

WINDOWS

34. Windows must be provided at the sides and at the rear of the vehicle.
35. Passenger door windows must be capable of being easily opened by passengers when seated.

36. The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

HEATING AND VENTILATION

37. A heating and ventilation system must be provided and must be in good working order.

DOORS

38. All doors must be easily accessible to all passengers and capable of being opened from inside. It must be clear to passengers how to operate the doors of the vehicle.

Hinged and sliding doors

39. When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.

40. Where sliding doors are fitted an audible or visual warning must be fitted in the driver's compartment indicating when any door is open.

41. Where sliding doors are fitted there must be a sign within the passenger compartment, clearly visible to all passengers, giving instructions on the correct operation of the passenger door.

Electric doors

42. Where electric doors are fitted:

- A sign must be clearly displayed inside the vehicle providing instructions on the correct operation of the door opening and closing mechanism.
- The door system design shall incorporate a method to detect an obstruction in the path of a closing door. When an obstruction is detected, the door system shall react in a manner that will allow the obstruction to be released
- A method for detecting an obstruction and preventing the closure of a powered door shall be included as part of the design of the door controls.

FLOOR COVERING

43. The floor of the vehicle must be covered in an appropriate non-slip material which must be free from rips, tears, and holes.

44. All floor covering fitted must be of uniform colour and material.

LUGGAGE

45. There must be provision for the safe carrying of luggage commensurate with the number of passengers being carried in the vehicle.

46. Provision must be made for luggage to be kept separate and secured from the passenger seating area.