

LICENSING PANEL**16 FEBRUARY 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 exempt the following vehicle: a Mercedes E220, registration number SR65 XSR, from displaying Private Hire Vehicle Licence plates and to exempt the driver of the vehicle from wearing his Private Hire Driver Badge.

RECOMMENDATION/S

That the Panel consider whether or not to provide the proprietor of the vehicle registration number SR65 XSR with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicle and 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 currently licensed as a Private Hire Vehicle and is subject to the conditions attached to that licence.
- 3.2 The proprietor of the vehicle, Shaun Reilly, has requested an exemption from displaying the plates on the vehicle and from wearing a Private Hire Driver Badge due to the type of work he undertakes. The applicant states that he undertakes chauffeuring work which is booked in advance and for which he will be paid by bank credit transfers. Mr Reilly also undertakes work for two chauffeur companies, details of which are attached at Appendix 1.
- 3.3 Currently plates are displayed on the vehicle and Mr Reilly wears his badge whilst working.
- 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 On 15 April 2016 Members previously considered an application from Mr Reilly for exemption from displaying plates on his vehicle and for wearing his badge whilst working. The application was refused as Members were not satisfied there was good reason to allow the exemption.

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 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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REFERENCE MATERIAL

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SUBJECT HISTORY (last 3 years)

Council Meeting	Date