

LICENSING PANEL**13 JULY 2018**

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE
REPORT OF	CORPORATE DIRECTOR FOR BUSINESS MANAGEMENT

REPORT SUMMARY

The purpose of this report is to consider an application to license two vehicles, namely a Mercedes S Class and an Audi A8, as private hire vehicles outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through, and to exempt the vehicles from displaying Private Hire Vehicle Licence plates and to exempt the driver of the vehicle from wearing his Private Hire Driver Badge due to the type of work undertaken by the applicant.

RECOMMENDATION/S

That the Licensing Panel consider whether or not to license the Mercedes S Class and the Audi A8 as private hire vehicles which are fitted with "privacy glass" which lets in less than 70% light and provide the proprietor of the two vehicles with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicles and to exempt the driver of the vehicle 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 applicant, Mr Williamson is the proprietor of Wirral Chauffeurs who undertake executive chauffeur work.
- 3.2 Mr Williamson is a licensed private hire driver and the proprietor of a licensed Private Hire Vehicle, namely an Audi A8, registration number W1 RRA which has been licensed since December 2014. The vehicle is subject to the current Special Event Private Hire Vehicle Licence conditions which include an exemption from displaying Private Hire Vehicle Licence plates on the vehicle. The rear windows of the vehicle are fitted with "privacy glass" which let in less than 70% light.
- 3.3 The current criteria for licensing private hire vehicles requires that the front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through. This criteria was introduced in September 2017.
- 3.4 Mr Williamson wishes to order a new Audi A8 to replace his current vehicle which will take approximately six months before it can be delivered. The rear windows of the vehicle will be fitted with "privacy glass" which lets in less than 70% light and will therefore not comply with the criteria for licensing private hire vehicles. Mr Williamson has also 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.
- 3.5 Due to a six month waiting time for the new Audi A8 to be built and delivered Mr Williamson wishes to purchase an S Class Mercedes to replace his current Audi A8 so that he can continue to operate his business. The vehicle will be fitted with "privacy glass" which lets in less than 70% light and Mr Williamson has also requested an exemption from displaying the plates on the vehicle and the driver of the vehicle being exempt from wearing a Private Hire Driver Badge.
- 3.6 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.

- 3.7 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.

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

.SUBJECT HISTORY (last 3 years)

Council Meeting	Date