

LICENSING PANEL**14 SEPTEMBER 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 exempt the following vehicle: a Ford Tourneo, registration number NE11 LOV, 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 Licensing Panel consider whether or not to provide the proprietor of the vehicle registration number NE11 LOV with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates on the vehicle 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 Mr Loveless is the proprietor of a licensed Private Hire Vehicle which is currently subject to Special Event Private Hire Vehicle Licence conditions that allow for the vehicle to be exempt from displaying plates.
- 3.2 On 18 July 2018 the Licensing Health and Safety and General Purposes Committee resolved that the procedure for licensing non standard Private Hire Vehicles be amended. This amendment was to replace the Special Event Private Hire Vehicle Licence conditions with the standard Private Hire Vehicle criteria and conditions and that any applicant seeking to operate outside these criteria and conditions be referred to the Licensing Panel so that each case can be considered on its own individual merits.
- 3.3 Mr Loveless has changed his vehicle and has applied for the grant of a Private Hire Vehicle Licence. He 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.
- 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.

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