

REGULATORY PANEL**15 DECEMBER 2021**

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to consider an application to exempt the following vehicle: a Mercedes E220, registration number KN18 GVJ, from displaying Private Hire Vehicle Licence plates and doorsigns.

RECOMMENDATION/S

That the Panel consider whether or not to provide the proprietor of the vehicle registration number KN18 GVJ with a notice providing an exemption from the requirement to display Private Hire Vehicle Licence plates and doorsigns on the vehicle.

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 That the application to exempt the following vehicle: a Mercedes E220, registration number KN18 GVJ, from displaying Private Hire Vehicle Licence plates and doorsigns be refused.

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, Mr Harrison, has requested an exemption from displaying the plates and doorsigns on the vehicle due to the type of work he undertakes.
- 3.3 Mr Harrison is the proprietor of Harrison Chauffeurs Wirral. He states that a large proportion of his clients want discretion when travelling and considers that potential customers are discouraged from using his service due to the display of doorsigns and licence plates on his vehicle. A copy of Mr Harrison's business plan and cashflow forecast will be provided in advance of the meeting.
- 3.4 Exemptions have previously been granted by the Regulatory Panel who deemed it appropriate in the circumstances to amend the standard Private Hire Vehicle Licence conditions and Private Hire Operator Licence conditions accordingly.
- 3.5 The Local Government (Miscellaneous Provisions) Act 1976 (the Act) provides that a notice may be given by the council that removes the requirement to display a plate and also dispense 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 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.

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 doorsigns provide a form of recognition and reference to members of the public that the vehicle is licensed. The absence of plates or doorsigns 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.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are none arising directly from the content of this report.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

REPORT AUTHOR: Margaret Calvert
Licensing Team Leader
telephone: (0151) 691 8476
email: margaretcavert@wirral.gov.uk

BACKGROUND PAPERS

Business plan

Cashflow forecast