

REGULATORY AND GENERAL PURPOSES COMMITTEE**23 MARCH 2023**

REPORT TITLE	AMENDMENT TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE CONDITIONS
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is for the Committee to consider an amendment to the Hackney Carriage Vehicle Licence conditions and the Private Hire Vehicle Licence conditions.

The Wirral Plan sets out a number of priorities for the council to consider. The content of this report supports the priority of working for a prosperous, inclusive economy - helping businesses to thrive and creating jobs and opportunities for all.

This matter affects all Wards within the Borough.

RECOMMENDATION

The Regulatory and General Purposes Committee is recommended to approve the amendment of the Hackney Carriage Vehicle Licence conditions and the Private Hire Vehicle Licence conditions so that the requirement to display a vehicle identification card within a Hackney Carriage Vehicle or Private Hire Vehicle no longer applies with effect from 27 March 2023.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 There is no legal requirement for a vehicle identification card to be displayed inside a licensed vehicle as both Hackney Carriage and Private Hire Vehicles have a licence plate displayed on the outside of the vehicle. It has been identified that whilst the card may be displayed inside the vehicle the information held on the card is not easily accessible to passengers within the vehicle and therefore is not used by passengers to identify the vehicle.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Committee may determine that there should be no change to the current conditions attached to Hackney Carriage and Private Hire Vehicle Licences, however it is considered appropriate to remove the condition as this will not impact on public safety.

3.0 BACKGROUND INFORMATION

- 3.1 The current conditions attached to Hackney Carriage and Private Hire Vehicle Licences issued by the Council include the requirement that a vehicle identification card displaying the licence number of the vehicle must be displayed inside the vehicle in such a manner that is clearly visible to persons inside the vehicle.
- 3.2 A review of compliance with the above requirement has identified that often the card is displayed on the dashboard of Private Hire Vehicles resulting in the information not being accessible to passengers travelling in the rear of the vehicle. Whilst in most cases the card is found to be displayed on the window partition within Hackney Carriage Vehicles the information on the card identifying the vehicle is replicated on the light box inside this type of vehicle.
- 3.3 Should a passenger wish to complain to the Licensing Authority about a licensed driver or journey they have taken in a licensed vehicle, the details of the vehicle are displayed on licence plates attached to the vehicle. In addition, the details of the driver can be found on the badge worn by the driver and carried within the vehicle.
- 3.4 It is considered appropriate to remove the requirement to display a vehicle identification card inside any Hackney Carriage or Private Hire Vehicle licensed by the Council as the card does not provide any further information to passengers to identify the vehicle or the driver that is not available in another format on or inside the vehicle. The Committee is therefore requested to remove the requirement to display a vehicle identification card inside a Hackney Carriage or Private Hire Vehicle that is currently contained within the Council's conditions attached to Hackney Carriage and Private Hire Vehicle Licences.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There is a cost to the Licensing Authority in supplying vehicle identification cards each time a licence is issued. The removal of the condition will result in an approximate saving of £2,722 during the financial year 2023/ 2024 which can be taken into account when determining vehicle licence fees.

5.0 LEGAL IMPLICATIONS

- 5.1 The requirement for a Hackney Carriage Vehicle to display a plate on the outside of the vehicle is contained within Section 51 of the Town Police Clauses Act 1847.
- 5.2 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 states that a district council may attach to the grant of a licence of a Hackney Carriage Vehicle under the Town Police Clauses 1847 such conditions as the district council may consider reasonably necessary.
- 5.3 Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that “A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.”
- 5.4 Section 48(5) states that where a district council grant under this section a vehicle licence in respect of a private hire vehicle they shall issue a plate or disc identifying that vehicle as a private hire vehicle in respect of which a licence has been granted.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 There will be no significant impact on the Licensing Team should there be a revision to the Hackney Carriage and Private Hire Vehicle Licence conditions as recommended.

7.0 RISKS

- 7.1 The risk to public safety in removing the requirement to display a vehicle identification card should not put the safety of the public at any increased risk as the removal of this requirement does not prevent the licensed vehicle from being identified.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 As this is a minor variation to the conditions attached to Hackney Carriage and Private Hire Vehicle Licence conditions it is not considered necessary to undertake a consultation exercise.

9.0 EQUALITY IMPLICATIONS

- 9.1 The potential impact has been reviewed and it is considered that this amendment to Hackney Carriage and Private Hire Vehicle Licence conditions will have no direct impact on any of the protected groups.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Hackney Carriage and Private Hire Vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (*Source: European Environment Agency report 2018*)

11.0 COMMUNITY WEALTH IMPLICATIONS

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

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APPENDICES

None

BACKGROUND PAPERS

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976

Hackney Carriage Vehicle Licence Conditions

Private Hire Vehicle Licence Conditions

TERMS OF REFERENCE

This report is being considered by the Regulatory and General Purposes Committee who are delegated to determine such matters in accordance with Section 8.2 of the Regulatory and General Purposes Committee's Terms of Reference set out in the constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Regulatory and General Purposes Committee	15 September 2021