



**LICENSING PANEL**

**18 JANUARY 2024**

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE</b>
<b>REPORT OF</b>	<b>DIRECTOR OF LAW AND CORPORATE SERVICES</b>

**REPORT SUMMARY**

The purpose of this report is for the Licensing Panel to consider a request by the proprietor of a licensed Private Hire Vehicle namely a Mercedes-Benz E220, registration number S2 MTU to be granted an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator.

**RECOMMENDATION**

The Licensing Panel is recommended to determine whether to grant an exemption from the requirement to display Private Hire Vehicle Licence Plates and door signs providing details of the Private Hire Operator in respect of a Licensed Private Hire Vehicle namely a Mercedes-Benz E220, registration number S2 MTU.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 Mr Scarratt has requested an exemption from the legal requirement to display licence plates on his vehicle and an exemption from displaying door signs on his vehicle as required by the conditions of his Private Hire Vehicle Licence. He has made this request as he provides an executive travel service and considers that having an exemption to displaying vehicle licence plates and door signs on the vehicle will enable him to offer a more discreet service to his customers who do not want the vehicle to be identified as a Private Hire Vehicle.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 That the request to exempt the Mercedes-Benz E220, registration number S2 MTU from displaying vehicle licence plates in accordance with the requirements of the Local Government (Miscellaneous Provisions) Act 1976 and the requirement of the conditions of his Private Hire Vehicle to display door signs, be determined by an officer who does not have delegated authority to grant an exemption.

### **3.0 BACKGROUND INFORMATION**

- 3.1 It is a legal requirement that when a Private Hire Vehicle Licence is granted the council must issue a plate or a disc identifying that vehicle as a Private Hire Vehicle.
- 3.2 The Licensing Authority currently issue two vehicle Licence Plates at the time when a Private Hire Vehicle Licence is granted. The Licence Plates must be displayed on the outside of the vehicle in accordance with the following conditions:
- The large vehicle licence plate identifying the vehicle as a private hire vehicle (rear plate) must at all times be securely fixed externally to the rear of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.
  - The small vehicle licence plate identifying the vehicle as a private hire vehicle (front plate) must at all times be securely fixed externally to the front of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon.
- 3.3 The conditions attached to the Private Hire Vehicle Licence include the following requirement in respect of door signs:
- A magnetic or adhesive door sign must be affixed on either both front or both rear doors of the vehicle at all times when the vehicle is available for use as a private hire vehicle.
- 3.4 The Mercedes-Benz E220, registration number S2 MTU was first licensed as a Private Hire Vehicle on 21 December 2022 and the current licence is due to expire

on 20 June 2024. The vehicle currently complies with the conditions set out in paragraph 3.2 and 3.3 above.

3.5 The date of first registration of the vehicle is 15 March 2017.

3.6 Mr Scarratt has held a Private Hire Driver Licence since 21 November 2019. Mr Scarratt also holds a Private Hire Operator Licence which was granted on 15 February 2023.

3.7 The vehicle will be available for inspection at the meeting.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no specific implications arising from this report.

#### **5.0 LEGAL IMPLICATIONS**

5.1 Section 48 (1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle
- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

5.2 Section 48 (2) of the Local Government (Miscellaneous Provisions) Act 1976 states that a council may attach to the grant of a licence such conditions as they may consider reasonably necessary including conditions requiring or prohibiting the display of signs on or from the vehicle from which the licence relates.

5.3 Section 48 (5) of the Local Government (Miscellaneous Provisions) Act 1976 states that where a district council grant a vehicle licence in respect of a Private Hire Vehicle they shall issue a plate identifying that vehicle as a Private Hire Vehicle. However the Council may exempt a vehicle from the requirement to display a plate in accordance with section 75 (3) of the Local Government (Miscellaneous Provisions) Act 1976.

5.4 Section 48 (7) of The Local Government (Miscellaneous Provisions) Act 1976 states that any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a Magistrates' court.

#### **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 There are safety implications arising out of this report as the Licensing Panel must be satisfied that the vehicle is safe, suitable and comfortable to be licensed as a Private Hire Vehicle.
- 7.2 The display of plates and door signs provide a form of recognition and reference to members of the public that the vehicle is licensed. The absence of plates or door signs may affect the ability of members of the public to report incidents relating to the driver of the vehicle. This risk can be mitigated by the imposition of additional conditions on the Private Hire Vehicle Licence and the Private Hire Operator Licence.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 This is not a matter that requires consultation.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 The Licensing Panel must have regard to their Public Sector Equality Duty when considering the application.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 Petrol and diesel 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**

Private Hire Vehicle Licence conditions  
European Environment Agency Report 2018  
Local Government (Miscellaneous Provisions) Act 1976  
Equality Act 2010  
Statement of Hackney Carriage and Private Hire Licensing Policy

**TERMS OF REFERENCE**

This report is being considered by the Licensing Panel who are delegated to determine such matters in accordance with Section 8.4 of the Licensing and General Purposes Committee’s Terms of Reference referred to in Part 3, Section B of the Council’s constitution.

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>