

**LICENSING PANEL****14 JUNE 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 to grant an exemption from the requirement to display Private Hire Vehicle Licence plates and door signs in respect of a currently licensed vehicle namely a Mercedes-Benz E220, registration number DF71 FRK.

**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 in respect of a currently licensed vehicle namely a Mercedes-Benz E220, registration number DF71 FRK.

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received a request to grant an exemption from the requirement to display Private Hire Vehicle Licence plates and door signs in respect of a currently licensed vehicle namely a Mercedes-Benz E220, registration number DF71 FRK. It is a delegated function of the Licensing Panel to determine whether to licence a vehicle as a Private Hire Vehicle when it does not comply with the current criteria and conditions for licensing Private Hire Vehicles.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 That the request to grant an exemption from the requirement to display Private Hire Vehicle Licence plates and door signs in respect of a currently licensed vehicle namely a Mercedes-Benz E220, registration number DF71 FRK outside of the current criteria and conditions for licensing Private Hire Vehicles, be determined by an Officer in accordance with the current criteria for licensing Private Hire Vehicles within the Council's Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

### **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 DF71 FRK was first licensed as a Private Hire Vehicle on 25 October 2023 and the current licence is due to expire on

24 October 2024. The vehicle currently complies with the conditions set out in paragraphs 3.2 and 3.3 above.

3.5 The date of first registration of the vehicle Mercedes E220, registration DF71 FRK is 7 October 2019.

3.6 Mr Les currently has a Private Hire Driver Licence and a Private Hire Operator Licence and is seeking to use the vehicle to provide an executive transport service.

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.

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. The Council may also dispense with the requirement referred to in Section 54 (2) of the Local Government (Miscellaneous Provisions) Act 1976 that a licensed Private Hire Driver should wear their badge in such a position and manner as to be plainly and distinctly visible.

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 The display of plates provides a form of recognition and reference to members of the public that the vehicle is licensed. The absence of plates 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  
Statement of Hackney Carriage and Private Hire Licensing Policy  
Local Government (Miscellaneous Provisions) Act 1976  
Equality Act 2010  
European Environment Agency Report 2018

## **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>