

REPORT TO:	Licensing Committee
DATE:	5 th March 2019
LEAD OFFICER:	Head of Planning and Public Protection
CONTACT OFFICER:	Senior Technical Officer (Licensing) licensing@denbighshire.gov.uk 01824 706433
SUBJECT:	Proposed Private Hire Plate Exemption Policy

1. PURPOSE OF THE REPORT

- 1.2 To present to Members, a proposed Private Hire Vehicle Plate Exemption Policy, for their consideration, which will allow the Council to make transparent decisions on which vehicles will be considered for an exemption.

2. EXECUTIVE SUMMARY

- 2.1 Legislation requires that the Council must issue a private hire vehicle with an identity plate or disc and that the proprietor should not use, or permit the use of, that vehicle without displaying the plate as directed by the Council. However, the Act also gives a Council discretion to grant a proprietor dispensation from displaying the licence plate.
- 2.2 The Council currently does not have a Policy to consider requests for plate exemption therefore any requests must be placed before Members of this Committee

3. POWER TO MAKE THE DECISION

- 3.1 Section 75(3) Local Government (Miscellaneous Provisions) Act 1976

4. BACKGROUND INFORMATION

- 4.1 The displaying of the external identification plates on a licensed Private Hire Vehicle and the wearing of a driver's identification badge is important in terms of public safety and reassurance. They indicate to the travelling public that the vehicle and driver are approved and therefore

would have been subject to a number of important checks prior to the licence being granted.

- 4.2 However, there are a small number of occasions when the requirement to display external identification plates may have commercial and customer safety implications ie safety for dignitaries and famous people
- 4.3 The displaying of identification plates, externally, may also deter some corporate customers from using the service.
- 4.4 The current regime for plate exemption is that the Operator is required to submit a formal request, in detail, and a report is placed before Members of this Committee for their consideration. In some circumstances, requests could take three months before being placed before a Committee, due to the constraints of the Committee timetable.
- 4.5 It is not intended that all Private Hire vehicles licensed by the Council should be exempt from the Council's requirements to display an external identification plate, however the Council recognises that there may be circumstances when it would be appropriate for vehicles operating the type of service to be considered suitable for such an exemption.
- 4.6 Research has highlighted that Councils who consider plate exemptions do so for individual vehicles only and not on a fleet basis, and take into account some or all of the following factors:
 - Make and model of the vehicle;
 - The type of work undertaken by the licensed vehicle
 - How the work differs significantly from that of regular private hire work
 - The type of customer
 - The number of regular private hire journeys carried out by the vehicle
 - An relevant history of the applicant in respect of breaches of conditions or legislation
 - The cost of a vehicle in not sufficient reason alone for requesting an exemption
 - Vehicles must be of a high specification standard
- 4.7 When developing the proposed Policy, Officers have not provided a definitive list of vehicles deemed suitable for exemption, but have rather provided an indicative list, which is not exhaustive.
- 4.8 The proposed Policy will provide guidance to potential applicants on the standards of vehicle that the Council considers should be the minimum

standard of comfort and vehicle type before the Council would consider such application.

- 4.9 If Members are minded to adopt this policy, it will inform our licence holders and customers of the Council's expectations and will establish conditions in relation to such an exemption. In addition, the introduction of an application form and Exemption Notice will ensure that these requests are formally documented.

5. **CONSULTATION**

- 5.1 Should Members be minded to support the proposed Private Hire Plate Exemption Policy, consultation will begin with all Licence Holders. Where objections are received, a further report will be presented to the Licensing Committee to enable members to consider such responses. However, in the event of no objections being received it is proposed that Members approve to adopt the policy.

6. **RECOMMENDATION**

- 6.1 For Members to consider supporting the proposed Private Hire Plate Exemption Policy, as detailed at Appendix A, and in doing so authorise Officers to commence formal consultation
- 6.2 Following consultation, for Officers to:
- i. Report any objections back to the Licensing Committee for consideration and approval of the proposed new Policy.
 - ii. In the event of no responses received, Members to approve to adopt the Private Hire Plate Exemption Policy with effect from the 1st June 2019.