

.....  
**Planning & Public Protection Service**  
 .....

**DRAFT PRIVATE HIRE PLATE EXEMPTION POLICY**

<b>Author / Custodian:</b>	Nicky Jones
<b>Date agreed and implemented:</b>	
<b>Agreed by:</b>	
<b>Frequency of Review:</b>	3 yearly
<b>Review date:</b>	
<b>Equality Impact Assessment completed: (date)</b>	
<b>Member involvement (if any)</b>	
<b>Internal or Public Domain:</b>	Public
<b>Head of Service Approval: (signature &amp; date)</b>	

<b>VERSION CONTROL:</b>			
<b>Reference:</b>	<b>Status:</b>	<b>Authorised by:</b>	<b>Date:</b>
V01	Final / Draft	Head of Service	

## **1. Policy Aim and objectives**

- 1.1 The aim of this policy is to protect the public, whilst taking a balanced approach to licensing requirements.
- 1.2 The principal objective is to formalise the use of discretionary power to allow executive vehicles to operate without displaying the Council's external licence plates

## **2. Introduction**

- 2.1 The Local Government (Miscellaneous Provisions) Act 1976 requires that identification licence plates be displayed on licensed private hire vehicles and that drivers wear a driver's badge.
- 2.2 The same legislation permits a Licensing Authority to exempt the display of private hire vehicle licence plates and, where the exemption applies, the requirement to wear a private hire driver's badge does not apply.
- 2.3 The open display of the vehicle identification plates and driver badge is important in terms of protecting both the public and the taxi trade
- 2.4 There are occasions however, when the requirement to display the identification plates and badges may have the opposite effect in terms of customer safety and commercial implications for the operating business, such as the operation of chauffeured, executive and limousine vehicles. Identification of the vehicle as a licensed vehicle may allow "high risk" passengers to be more readily targeted, putting both them and the driver at risk.
- 2.5 The display of Local Authority identification plates externally may also deter some corporate customers from using the service.
- 2.6 The policy outlines the type of operational business need and business requirement and describes the minimum standard of vehicle type and comfort appropriate before the Council will consider an application for plate exemption.
- 2.7 The policy should be read in conjunction with our existing policy (the Blue Book) relating to private hire vehicles.

## **3. The Policy**

- 3.1 Applications will be considered and assessed on its own merit
- 3.2 Each vehicle will be inspected by an authorised Officer of the Council to ensure it is fit for purpose.
- 3.3 Exemption will normally be granted only where the work is carried out mainly or wholly outside of the County.
- 3.4 Only in rare case will these discretionary powers be exercised. Where the Council are satisfied that there is a genuine operational business need and business requirement, and where the safety of the public will not be compromised as a result.
- 3.5 The driver and vehicle are specifically hired to provide transport to a company or person, and /or where the display of the identification licence plate may affect the dignity or security of the person(s) carried.

### **Vehicle Specification**

- 3.6 Exemption will only be considered where the following requirements are met:
- a. The vehicle to be exempted is of a luxurious quality such as Mercedes Benz E or S Class, BMW 7 Series, Jaguar, Rolls Royce, Bentley saloon, Lexus GS or LS and Audi A8. The highest specification executive type cars from other manufacturers may also be considered. American style stretched vehicles will normally qualify
  - b. The vehicle will be in immaculate condition with no visible defects, dents or blemishes to the external bodywork, wheels, internal trim and seating.

### **Type of work considered for Exemption**

- 3.7 The type of work undertaken is exclusively “executive style” in nature ie:
- i. Contracts with senior personnel of large companies to carry Managing Directors or their client
  - ii. Contracts with national or local government, or similar agencies, to carry senior personnel and guests on official business
  - iii. The carriage of well-known personalities such as sports or ‘pop’ stars
- 3.8 The above list is indicative, but not exhaustive.

### **Type of work NOT considered for Exemption**

- 3.9 The type of work that should NOT be considered for the grant of exemption should include:
- i. Council school and social services contracts
  - ii. Journeys to the airport, seaports or railway stations, unless part of a journey covered by an exemption (it is considered that the proper display of licence plates and council door stickers is a safety feature when arriving at such venues)
  - iii. Theatre journeys or sporting events
  - iv. ‘Hen’ and ‘Stag’ events
- 3.9 The above list is indicative, but not exhaustive.

### **Other Considerations**

- 3.10 The type of work undertaken by the Private Hire Vehicle
- 3.11 How the work differs significantly from that of regular private hire work
- 3.12 The number of journeys that are not private hire work
- 3.13 The length of each journey that is not regular private hire work
- 3.14 The number of non-regular/regular private hire journeys carried out by the vehicle
- 3.15 Any relevant history of the applicant in respect of breaches of conditions or legislation
- 3.16 When considering the number and length of regular private hire journeys, an exemption will not be granted if it can be shown that the number and length of journeys for regular private hire work account for at least 50% of the work carried out by the vehicle.

#### **4. Procedure**

- 4.1 Applications for exemption will be made to the Licensing Authority, in writing, by the vehicle licence holder
- 4.2 Officers will assess whether or not there is a genuine operational business need and whether or not the vehicle is considered to meet the criteria detailed at 3.6 above.
- 4.3 If the requirements set out in 3.6 above are met to the satisfaction of the Officer, then an exemption notice will be granted.
- 4.4 Irrespective of when an exemption notice is granted, the initial exemption notice will expire on the same day as the expiration of the vehicle's current private hire licence, unless it is surrendered or revoked.
- 4.5 Thereafter, any renewed exemption notice will be issued to coincide with the private hire vehicle licence

#### **5. Exemption Conditions (in addition to the conditions set out in the Council's Blue Book)**

- 5.1 When operating under the exemption notice, the vehicle will be required to display the interior plate on the front windscreen of the vehicle at all times the exemption is in force.
- 5.2 The Exemption Notice issued by the Licensing Authority, will be carried in the vehicle at all times and will be produced upon request to an authorised officer of the Council (or any authorised officer of the Council within the area of operation) or a police officer.
- 5.3 Other than the internal (windscreen) plate, the licence holder will not display in, on or from the vehicle any advertisement, signage, logos or advertising the operating company or the vehicle's status as a private hire vehicle.
- 5.4 The private hire vehicle licence plate will be affixed in a visible position within the boot of the vehicle and shall not be displayed externally whilst the exemption notice is in force. Upon request the licence plate will be shown to an authorised officer of the Council (or any authorised officer of the Council within the area of operation) or a police officer.
- 5.5 During the period of the exemption notice, the driver shall not wear the private hire driver's badge (or joint driver badge if applicable), but will have it available for inspection by an authorised officer of the Council (or any authorised officer of the Council within the area of operation) or Police Officer, on request.
- 5.6 At all times during the period of exemption, the driver of the vehicle will be appropriately dressed in either a business suit or chauffeur / chauffeuse uniform.
- 5.7 No taximeter shall be fitted in the vehicle.
- 5.8 The exemption will cease to have effect on selling or transferring the vehicle to another party. The person to whom the exemption is granted must inform the Council of the sale/transfer of ownership within 7 days, and in writing. The exemption notice must be returned to the Council along with the private hire vehicle identification plate, unless being sold to another private hire operator licensed by the Council; in which case only the exemption notice must be returned.

5.9 The vehicle must not be used for private hire purposes other than for chauffeur/executive use (i.e not for 'normal airport journey's or daily private hire use).

## **6. Appeals**

6.1 In the event of an applicant being dissatisfied with the decision of the Officer, the applicant may make a written application for a review of the decision to the Licensing Committee.

6.2 If the Licensing Committee considers no genuine operational business need exists for a plate exemption, the vehicle licence holder will be notified of the refusal.

6.3 There is no statutory right of appeal against the Council's decision not to exercise its discretion and allow an exemption