

Report to:	Licensing and Regulatory Committee	Date of Meeting:	Monday 25 June 2018
Subject:	Executive Hire Plate Exemption Policy		
Report of:	Head of Regulation and Compliance	Wards Affected:	
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	N	Included in Forward Plan:	No
Exempt Confidential Report:	/ N		

Summary:

To suggest a policy for the taxi licensing service when considering applications for an exemption from displaying the external plate on a licensed vehicle. Applications for exemption from the requirement to display identification plates may only be considered where a set of specific requirements are met.

Recommendation(s):

- (1) Implement the policy ; or
- (2) Implement the policy with any suggested amendments

Reasons for the Recommendation(s):

The Council can give licensed private hire vehicle owners an exemption from displaying the external plate but there is currently no policy relating to the circumstances in which such exemptions should be issued. This suggested policy relates to the executive hire type operators and vehicles only where displaying a plate may deter customers and be detrimental to the operators business.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs - none

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets):</p> <p>The cost of the service is wholly recovered from the ring fenced Taxi Licensing Trade Account (Revenue Budget BD12).</p>
<p>Legal Implications:</p> <p>The Local Government (Miscellaneous Provisions) Act 1976</p>
<p>Equality Implications:</p> <p>There are no equality implications.</p>

Contribution to the Council’s Core Purpose:

Protect the most vulnerable:
Facilitate confident and resilient communities:
Commission, broker and provide core services:
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity: Reducing burdens on local businesses.
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 5184/18) and Head of Regulation and Compliance (LD.4408/18) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

The proposals have been discussed with representatives of the taxi licensing trade – further details are contained in the report.

Implementation Date for the Decision

Immediately following the Committee meeting

Contact Officer:	Mark Toohey
Telephone Number:	Tel: Ext 2274
Email Address:	mark.toohey@sefton.gov.uk

Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

1. Introduction

- 1.1 The objective of the policy is the provision of an exemption to allow 'executive vehicles' to operate without displaying external identification plates and the driver to undertake the work without wearing their identification badge.
- 1.2 The issuing of exemption notices to luxury type vehicles is dependent on a private hire operator presenting a business case supporting their application demonstrating why the exemption to display private hire plate and signage is required. The fact that a vehicle is considered luxury is not sufficient in itself to warrant an exemption.

2. Background

- 2.1 The displaying of the external identification plate on a licensed vehicle and the need for a driver to wear their badge is important in terms of public safety and reassurance. They indicate to the public that both the vehicle and the driver have been subjected to appropriate checks and hold a current licence.
- 2.2 There are however occasions when the requirement to display an external identification plate may have the opposite effect in terms of customer safety and could have commercial implications for the operating business. The display of Council licence plates externally may also deter some corporate customers from using the service and, in some circumstances, the 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.
- 2.3 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display an identification plate and drivers of those vehicles wear a driver's badge. The same legislation also allows any council to exempt vehicles from the need to display an identification plate and, where that exemption applies, the requirement to wear a private hire driver's badge.
- 2.4 It is not intended that all 'luxury' private hire vehicles licensed by Sefton Council should be exempt from the Council's requirement to display an external identification plate, however the Council recognises that there may be circumstances when it may be appropriate for vehicles offering a type of service to be considered suitable for such an exemption.
- 2.5 The Council does not seek to provide a definitive list of vehicles it considers to be suitable for the exemption as each application will be considered individually.
- 2.6 The policy provides guidance to potential applicants on the standards of vehicle comfort and equipment that the Council considers should be the minimum before the council would consider such an application. This policy should be read in conjunction with the Council's existing policies, conditions and specifications that

relate to private hire vehicles and establishes additional criteria that the council will take into account when determining applications for a private hire vehicle to be exempt from displaying the external identification plate.

3 The Policy

3.1 See attached draft policy.

4. Conclusion

4.1 There are a small number of Sefton licensed companies that carry out executive hire type work (traditionally referred to as chauffeur). The policy is only intended to cover this small service area and will only apply to companies that can show a legitimate need or use for the plate exemption. The vehicles will still be identifiable by a specific sticker/plate in the windscreen and rear window.

4.2 The taxi trade as a whole have been given the chance to comment on the policy with mixed results. The executive hire operators have welcomed the proposed policy change. The policy was recently discussed at the quarterly taxi trade meetings. Some members of the trade welcomed the policy so long as it only related to operators carrying out genuine executive hire type work and the Council regularly checks on this. Others did not agree and felt any plate exemption may be subject to abuse by those issued with them (as they may not actually be carrying out contract work at all).

4.3 Regular operator checks to ensure compliance will be conducted by the Taxi Licensing Unit should the policy be introduced.

Executive Car Exemption Policy

Introduction

The objective of the policy is the provision of an exemption to allow 'executive vehicles' to operate without displaying external identification plates and the driver to undertake the work without wearing their identification badge.

The issuing of exemption notices to luxury type vehicles is dependent on a private hire operator presenting a business case supporting their application demonstrating why the exemption to display private hire plate and signage is required. The fact that a vehicle is considered luxury is not sufficient in itself to warrant an exemption.

It is not intended that all 'luxury' private hire vehicles licensed by Sefton Council should be exempt from the Council's requirement to display an external identification plate, however the Council recognises that there may be circumstances when it may be appropriate for vehicles offering a type of service to be considered suitable for such an exemption.

The Council does not seek to provide a definitive list of vehicles it considers to be suitable for the exemption as each application will be considered individually.

The policy provides guidance to potential applicants on the standards of vehicle comfort and equipment that the Council considers should be the minimum before the council would consider such an application. This policy should be read in conjunction with the Council's existing policies, conditions and specifications that relate to private hire vehicles and establishes additional criteria that the council will take into account when determining applications for a private hire vehicle to be exempt from displaying the external identification plate.

The Policy

1. Exemptions from displaying external identification plates may be in respect of individual vehicles only.
2. Each vehicle applied for will be inspected by an authorised officer
3. The following may be indicative (but not conclusive) that a vehicle is an Executive Hire Car;
 - a) Engine size of 2000cc or greater
 - b) Seating is of adequate dimension, comfort and permits direct access into and out of the vehicle without the need to move, remove or fold down any seats.
 - c) Evidence to show that the vehicle is a prestige or 'top of the range' vehicle as represented by the vehicle manufacturer

- d) Relevant considerations as to whether a vehicle is an executive hire type include but are not limited to cost, age, reputation, specification, appearance, perception and superior comfort levels
 - e) The vehicle has a minimum specification of climate control, all electric windows, central locking, suitable front and rear headrests for each passenger and additional legroom.
4. The vehicle will be in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating.
 5. The type of work undertaken is mainly 'executive' in nature. This means that the vehicle is used specifically to provide transport under a contract to a company or person(s), or by the type of clients who, for security or personal safety reasons, would not want the vehicle to be identifiable. Vehicles will only be used for bookings taken by an operator who has been issued with at least one plate exemption.
 6. Applications may only be made by a person holding a current private hire operator's licence issued by Sefton Council.
 7. Where an operator wishes to make an application for a vehicle to be exempt from displaying an external identification plate, they will be required to complete the appropriate application form along with any documentation that supports the application. Each applicant will be required to make a business case setting out the reasons why a vehicle may be exempted.
 8. The Council may require applicants to provide any additional documentation as reasonably necessary to allow the Council to make an informed decision. Where such documentation is not provided to the satisfaction of the Council, the application will be refused.
 9. Other than where to do so would conflict with the requirements of this policy, all vehicles granted an exemption notice must, in addition to the requirements of this policy, comply with the Council's Private Hire Vehicle Licence Conditions and Specifications.
 10. The exemption notice issued by the Council will be carried in the vehicle at all times and will be produced upon request to an authorised officer of the Council or any Police Officer. Any vehicle granted an exemption from displaying an external identification plate will be required to have the identification plate (normally displayed on the rear of the vehicle) affixed securely inside the boot in a visible location.
 11. Any vehicle granted an exemption from displaying the external identification plate will be still be required to display an internal licence card or sticker in the nearside top corner of the windscreen and in the top nearside of the rear window.

12. When issued with an exemption notice, the vehicle will not be required to display any other signs. The operator will not display in, on or from the vehicle any advertisement or signage relating to the operating company or the vehicle's status as a private hire vehicle.
13. During the period of the exemption notice, the driver shall not be required to wear the private hire driver's identification badge but it must be available for immediate inspection by an authorised officer of the Council, any Police Officer, or client on request.
14. During the period of the exemption notice, the driver of the vehicle whilst engaged on executive hire work will be smartly dressed.
15. The operator shall not use the vehicle for private hire purposes other than for executive use (i.e. not for 'normal' airport journey's or daily private hire use) whilst the plate is removed.
16. 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 immediately and in writing, and provide details of the new owner.
17. 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 has to be returned.
18. A taximeter will not be installed in the vehicle.
19. Any applicant refused a vehicle plate exemption may appeal to the Environmental Health & Licensing Manager for reconsideration.