



Gambling, Licensing & Regulatory Committee 21st July 2014

Report from the Assistant Director – Housing and Community Safety

Private Hire Vehicle Licence Conditions – Licence Plate and Signage Exemptions

Summary

1. This report asks Members to consider implementing an exemption policy with regards to the displaying of licence plates and signage on licensed private hire vehicle who exclusively undertake executive contract work. There is provision within the Local Government (Miscellaneous Provisions) Act 1976 to introduce a policy of this nature.

Background

2. A number of conditions are currently imposed on all private hire vehicle licences, they relate to issues such as:
 - vehicle standards – condition of vehicle, MOT tests, inspection programmes, etc;
 - requirements of the proprietor – notification of accidents, documentation required for inspections, etc.
 - passenger safety/comfort - seating capacity requirements, light transmittance of windows, etc.

A full copy of vehicle licence conditions can be found at Annex 1.

3. Conditions are also in place that relate to the displaying of licence plates and signage, these conditions are as follows:
 - 1) The licensed vehicle shall display the following signs: -
 - a) The licence plates issued by the Council, which should be securely fixed to the front and rear of the vehicle so that they

are clearly visible. The licence plates will remain the property of the Council and must be returned to the Council immediately upon a change of vehicle or when requested upon the suspension, revocation or expiry of a vehicle licence. Temporary plates shall be affixed to the inside of the front screen and rear window providing they do not obscure the visibility of the driver.

- b) A sign on the rear passenger doors including the name and telephone number of the firm and the words "PRIVATE HIRE VEHICLE - PRE BOOKED ONLY" in suitable lettering 50mm high. The approval of the Council should be sought before the display of the sign. The sign must **not** include the words "FOR HIRE", "TAXI", or "HACKNEY CARRIAGE".
4. A number of licensed private hire vehicle proprietors have asked for an exemption in relation to the signage conditions as they believe they undertake executive contract work exclusively.
 5. City of York Council does not have a policy in relation to offering the facility to request an exemption from displaying of licence plates and signage. A proposed policy is attached at Annex 2. Other licensing authorities have similar policies in place.

Consultation

6. Officers prepared a draft policy, that can be found at Annex 3, and carried out a formal consultation, this ended on 30 May 2014. All private hire vehicle licence proprietors along with Hackney Carriage and Private Hire Associations were written to. The consultation and draft policy was available on the councils website.
7. 14 responses were received from the taxi and private hire trade. 9 respondents stated that they were fully in support of the introduction of a policy. 2 stated that they were against the policy. Some comments received were as follows:
 - How would the public know which vehicle is a taxi, with having no sign on the vehicle.
 - If certain taxis are exempt, can they still pick up the public, or would they be specific taxis (for executive hire) only?

- This policy affects my business, in the everyday running, and I agree that there should be a special exemption policy for operators in corporate and chauffeur type of work and where discretion is asked for by the customer.
- Excellent proposal and one which would bring the City of York in line with London and other major cities throughout the UK who already have such a policy.
- This could be a prelude to asking for tinted windows as many of the cars stated have tinted windows.
- This could be easier for unregistered cars to pick up.
- I consider that a small disc in the windscreen is not sufficient for this purpose and the driver having his badge in the glove box is also insufficient.
- Many of my clients consider my operation as that of a Chauffeur business and as such, would prefer my vehicle to be “discreet”.
- The best outcome from your meeting for us would be that we are allowed to compete for chauffeur work on a level playing field with other chauffeur companies in the Leeds, Harrogate, Selby and Teesside areas that already have a discreet style private hire plate or badge and are not required to display plates to the rear and front of their vehicle and rear door stickers.

8. Seven of the responses were from representatives of the private hire trade who believe they currently carry out executive work. They welcome the introduction of a policy and had the following comments on the content of the proposed policy:

- Don't understand the 5 year age policy when you consider how much these quality vehicles cost. A six/seven year old Bentley or Rolls Royce with 30,000 miles on the clock would cost minimum in excess of £50,000+ and an S Class Mercedes £30,000+ all of which would be in immaculate condition.
- A 5 year age limit would be very restrictive to us as we usually buy a vehicle at 18 months to 2 years old and keep it for another

6 years. I feel a properly maintained and well kept Mercedes of an age of 8, if not 10, years is ample for any of the work we carry out. One of our vehicles is a 2003 model with a little over 60,000 miles on the clock, well capable of another 400,000 miles in the right hands and after all our aim is only for you to introduce a policy that exempts us from displaying plates, we are more than happy to follow all the other rules and regulations stipulated in a private hire licence.

- I would ask that consideration be given to this type of vehicle regarding rear window privacy glass. As vehicles of this type now leave the factory with privacy glass fitted as standard, it is extremely expensive to replace, also it is becoming more difficult to source for the above reason.
- The proposal that bookings for executive/chauffeur vehicles cannot be taken under 24 hours, please can you explain the reasoning behind this proposal? This is not practical as on a daily basis we receive emails from companies in the afternoons wanting to book our services for the following morning, therefore under this proposal we would not be able to service our clients' needs. Apart from the two points I have mentioned I think the policy is excellent and clearly defines the criteria which a vehicle wanting to be exempt from displaying plates and signage has to meet i.e. the type of vehicle which is to be used for executive/chauffeur work.

9. A copy of all responses can be found at confidential Annex 4.
10. Officers have considered these responses and amended the proposed policy removing the reference to vehicle age, and the reference regarding a minimum requirement of 24hr pre bookings for all jobs taken. Officers have not included any reference to the light transmittance of windows within this policy as conditions are already in place for all licensed vehicles regarding this matter.

Options

10. Option 1 – instruct officers to implement the new policy in relation to licence plate and signage exemption.
11. Option 2 – instruct officers to take no action.

Analysis

12. The issues around executive vehicles has the same business, legal and public safety principles as other areas of transport licensed by the City of York Council, with public safety being paramount. The only exemptions proposed within the draft policy that will be available to existing private hire vehicle licence conditions will be the displaying of licence plates and signage.
13. The distinction between the Operators of standard Private Hire Vehicles and the Operators of Executive Vehicles is significant in the terms of the type of clients catered for and the type of services offered. Applicants for plate and signage exemptions must be able to demonstrate that they only provide executive contract work.
14. Applicants for plate and signage exemption will write to the Licensing Manager formally requesting the exemption. If the Licensing Manager believes the work carried out by the applicant is exclusively executive contact work a written exemption certificate will be issued. A draft copy of the exemption certificate can be found at Annex 5.
15. As vehicles in receipt of the exemption will no longer have to display licence plates and signage, it will be a requirement of the exemption that an exemption certificate card will be displayed on the windscreen (inside lower nearside) adjacent to the tax disc. This certificate will be double sided stating the vehicle licence number, registration number, number of passengers and expiry date. A draft copy of the certificate card can be found at Annex 6.
16. It will also be a requirement of the exemption that:
 - (a) the exemption certificate must be kept in the vehicle at all times and will be produced on request by an authorised officer;
 - (b) the private hire vehicle licence plates will be carried in the boot at all times and will be produced on request by an authorised officer;
 - (c) the private hire operator door signage will be carried in the boot at all times and will be produced on request by an authorised officer; and
 - (d) the internal plate shall be displayed within the glove box lid.

17. An additional fee will be payable for exemption certificates, this will be £35.00.

Council Priorities

18. The provision of hackney carriage and private hire licensing supports the council priority 'Get York Moving'.

Implications

19.

(a) Financial

There are no financial implications. Fees are set on a cost recovery basis.

(b) Human Resources (HR)

There are no HR implications.

(c) Equalities

There are no equalities implications.

(d) Legal

There are no legal implications.

(e) Crime and Disorder

There are no crime and disorder implications.

(f) Information Technology (IT)

There are no IT implications.

(g) Property

There are no property implications.

(h) Other

There are no other implications.

Risk Management

20. There are no known risks associated with this report.

Recommendations

21. That Members approve Option 1 of this report.

Reason: This option will provide the council with a policy to allow the private hire trade, who exclusively undertake executive hire work, with the provision of applying for an exemption from the requirement to display licence plates and signage.

Contact Details

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	Report Approved	√	Date 9 th July 14
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Wards Affected:		All	√
For further information please contact the author of the report			

Annexes

- Annex 1 - Private Hire Vehicle Licence Conditions
- Annex 2 - Proposed Private Hire Vehicle Licence Plate And Signage Exemption Policy
- Annex 3 - Draft Consultation Policy
- Annex 4 - Consultation responses (confidential).
- Annex 5 - Draft exemption certificate
- Annex 6 - Draft exemption certificate card.