

**CYNGOR SIR POWYS COUNTY COUNCIL**

**Licence Review Panel**

**DATE:** 29<sup>th</sup> June 2018

**REPORT BY:** Licensing Officer

**SUBJECT:** Application for a Plate Exemption on Private Hire Licensed Vehicle – Town to Town.

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**REPORT FOR:** DECISION

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**1. INTRODUCTION**

1.1.1 The Review Panel is invited to determine whether the applicant can claim an exemption from displaying a Vehicle Plate identifying it as a Private Hire Licensed Vehicle.

**2. BACKGROUND**

2.1 Following a Review of Powys County Council Licensing Conditions in 2017, a new Condition was put in which meant that licensed vehicles could only claim an exemption from displaying a plate in '*exceptional cases only*' .

**3. CONSULTATION**

3.1 This private company has made written representations their wish to continue to allow a plate exemption due to the nature of the work that they carry out. ANNEX A.

3.2 Their request for allowing a plate exemption for the vehicles is largely due to the nature of the work they carry out; all journeys are pre-booked. The company have formulated a list of their top customers who are solely for Airport and Seaport travel. Many of these customers are professional people who prefer to travel in an unmarked car. They do not do school contracts or work at night.

3.3 The company believes it would be detrimental to their business if they had to display the plate as this takes away the executive image from the vehicle.

3.4 All vehicles carry their exemption certificate in the vehicle which can be produced immediately upon request and likewise, the plate is kept in the boot of the vehicle and can also be produced immediately upon request by the driver.

## **4. GUIDANCE**

- 4.1 The Committee approved these Conditions in October 2017, with the following extracts taken directly from the Conditions –

### **Identification and Signage**

- 4.1 *A hackney carriage or private hire vehicle shall display a plate of a colour And design approved by the Licensing Authority. The plate will show the vehicle licence number and the number of passengers a vehicle is licensed to carry. The vehicle plate shall be fixed to the rear bodywork of the vehicle in a position approved by the Licensing Officer.*
- 4.2 *Ensuring that private hire vehicles are clearly identifiable is an important public safety safeguard and in general no exemptions to display the plate will be issued except where the Council is reasonably satisfied that an applicant has a justifiable business case for not displaying a private hire plate. Any exemptions would be in exceptional cases only and not be issued to vehicles undertaking regular private hire work (including school contracts). Decisions to consider any exemptions will be considered on a case by case basis by a licensing sub-committee*

- 4.3 Full Licence Conditions can be found in ANNEX B.

## **5.0 GENERAL**

- 5.1 Each case will be decided on its own merits.
- 5.2 The requirement to display the plate can be lifted in one of two ways. First, under the Local Government (Miscellaneous Provisions) Act 1976 section 75 (1)(d), if there a contract for the hire of that specific vehicle for a period exceeding 24 hours. Secondly, under section 75 (3), which allows the local authority to specify either certain occasions when the plate need not be displayed or, alternatively, that the council can issue a notice which can be carried effectively in lieu of the plate being displayed. (Please see ANNEX C. for example of previous notice issued before revision of the conditions)
- 5.3 Powys is a Member of the All Wales Taxi Licensing Group and while each Authority decides on its own Conditions, a consistent approach is favoured. See ANNEX D which is a list of Authorities who responded to a Powys request to ask each Welsh Authority what their position was regarding Plate Exemptions.

## **CONSIDERATIONS**

- 5.1 Ensuring that private hire vehicles are clearly identifiable is an important public safety safeguard to protect the most vulnerable members of society, from danger or dishonesty. When considering an application for Plate Exemption the applicant must satisfy the Licensing Authority that he has a justifiable business case for claiming the exemption and such an exemption would not be any detriment to public safety.

**6. DECISION**

- 6.1 The Panel is requested to determine whether Town to Town can be granted an exemption from displaying a Vehicle Licence Plate.