

Meeting of:	Public Protection Licensing Committee
Date of Meeting:	Tuesday, 16 May 2023
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Exemption from Private Hire Plate and Door Sticker Requirements
Purpose of Report:	To consider a request by Mr Rhys Wilton to be exempt from the requirement to display door stickers or a licence plate on his Private Hire Vehicle.
Report Owner:	Miles Punter, Director of Environment and Housing
Responsible Officer:	Miles Punter, Director of Environment and Housing
Elected Member and Officer Consultation:	None.
Policy Framework:	This is a matter for the Public Protection Licensing Committee
<p>Executive Summary:</p> <p>The matter to consider a request by Mr Wilton to allow his vehicle CK69 XVG, to be exempt from the Vale of Glamorgan Council's conditions in relation to Private Hire Vehicle identification door stickers, and for the vehicle to be exempt from the requirement to display a Private Hire Licence Plate was heard at the 18th April, 2023 meeting of the Public Protection Licensing Committee. The previous report is attached as Appendix 1.</p> <p>At that meeting, Members resolved that the matter be deferred to a future meeting of the Public Protection Licensing Committee, the date of which would be agreed with the applicant, in order for the applicant to attend the meeting and allow all parties to elaborate on the application in order to determine the application. As such, the report is being brought back to Public Protection Licensing Committee for consideration with Mr Wilton in attendance.</p>	

Recommendations

1. It is recommended that Members give careful consideration to the application taking into account whether or not public safety would be compromised were one of the following recommendations accepted:- grant an exemption from one, or both, conditions 8 and 9 relating to Private Hire vehicles to Mr Wilton in respect of an application made for a Private Hire Vehicle Licence, for vehicle registration CK69 XVG.

If Members are minded to grant an exemption from the requirement to display a licence plate, they must instruct that the required notice be given to Mr Wilton. Or,

2. refuse the application giving full reasons for their decision.

The Committee must consider the application on its merit. If they are of the view that there is no public interest in granting this exemption having regard to public safety, the application should be refused.

Members are reminded that when the vehicle is licensed as a Private Hire Vehicle the type of bookings that are carried out by the vehicle cannot be controlled and as such cannot be restricted to chauffeur work.

Reasons for Recommendations

1. To advise Members of the options available and request their instructions

1. Background

- 1.1 On 28th March, 2023, Mr Wilton made application for a Private Hire Vehicle Licence in respect of his vehicle, an Audi A6 registration CK69 XVG, first registered on 5th September, 2019.
- 1.2 On 20th March, 2023 Mr Wilton sent a request that his vehicle be exempt from the requirement for door stickers and plates to be displayed. A copy of the request is attached at Appendix A to this Report.
- 1.3 The matter had been considered by the Public Protection Licensing Committee at its 18th April, 2023 meeting where Members resolved to defer the matter to this meeting to allow Mr Wilton to also be in attendance.

2. Key Issues for Consideration

- 2.1 As detailed in the report previously considered by the Public Protection Licensing Committee on 18th April, 2023, attached at Appendix 1 to the report.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 As detailed in the report previously considered by the Public Protection Licensing Committee on 18th April, 2023, attached at Appendix 1 to the report.

4. Climate Change and Nature Implications

4.1 There are no implications arising directly from this report.

5. Resources and Legal Considerations

Financial

5.1 There are no financial implications arising directly from this report.

Employment

5.2 None.

Legal (Including Equalities)

5.3 As detailed in the report previously considered by the Public Protection Licensing Committee on 18th April, 2023, attached at Appendix 1 to the report.

6. Background Papers

None.

Meeting of:	Public Protection Licensing Committee
Date of Meeting:	Tuesday, 18 April 2023
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Exemption from Private Hire Plate and Door Sticker Requirements
Purpose of Report:	To consider a request by Mr Rhys Wilton to be exempt from the requirement to display door stickers or a licence plate on his Private Hire Vehicle.
Report Owner:	Miles Punter, Director of Environment and Housing
Responsible Officer:	Miles Punter, Director of Environment and Housing
Elected Member and Officer Consultation:	None.
Policy Framework:	This is a matter for the Public Protection Licensing Committee
<p>Executive Summary:</p> <p>To consider a request by Mr Wilton to allow his vehicle CK69 XVG, to be exempt from the Vale of Glamorgan Council's conditions in relation to Private Hire Vehicle identification door stickers, and for the vehicle to be exempt from the requirement to display a Private Hire Licence Plate.</p>	

Recommendations

1. It is recommended that Members give careful consideration to the application taking into account whether or not public safety would be compromised were one of the following recommendations accepted:- grant an exemption from one, or both, conditions 8 and 9 relating to Private Hire vehicles to Mr Wilton in respect of an application made for a Private Hire Vehicle Licence, for vehicle registration CK69 XVG

If Members are minded to grant an exemption from the requirement to display a licence plate, they must instruct that the required notice be given to Mr Wilton. Or,

2. refuse the application giving full reasons for their decision.

The Committee must consider the application on its merit. If they are of the view that there is no public interest in granting this exemption having regard to public safety, the application should be refused.

Members are reminded that when the vehicle is licensed as a Private Hire Vehicle the type of bookings that are carried out by the vehicle cannot be controlled and as such cannot be restricted to chauffeur work.

Reasons for Recommendations

1. To advise Members of the options available and request their instructions

1. Background

- 1.1 On 28th March, 2023, Mr Wilton made application for a Private Hire Vehicle Licence in respect of his vehicle, an Audi A6 registration CK69 XVG, first registered on 5th September, 2019.
- 1.2 On 20th March, 2023 Mr Wilton sent a request that his vehicle be exempt from the requirement for door stickers and plates to be displayed. A copy of the request is attached at Appendix A to this Report.
- 1.3 Mr Wilton has advised officers that his business model is to offer an executive hire operation rather than the traditional private hire business where the public expect a liveried vehicle.
- 1.4 On 20th March, 2023 the Licensing Section received a letter in support of Mr Wilton's request from Bryan Moses of CBS Studios. A copy of the letter is included in Appendix A to this Report.
- 1.5 Current private hire legislation does not distinguish between the different types of business model and standard conditions relating to displaying a plate and door stickers apply to all vehicle licences. These conditions are in force to ensure public safety.

2. Key Issues for Consideration

- 2.1** Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 requires that a plate is issued in relation to, and displayed on, all licensed Private Hire Vehicles.
- 2.2** However, by virtue of Section 75(3) the Council has the power to issue a notice to a proprietor of a vehicle licensed under Section 48 to exempt them from the requirement to display a licence plate on the vehicle.
- 2.3** Section 75 also dis-applies the provisions of the Act in certain circumstances; While the vehicle is being used in connection with a wedding or funeral
When the vehicle is being used under a contract for a period of 24 hours or more
- 2.4** Condition number 8 of the Vale of Glamorgan Conditions for Private Hire Vehicles requires that the licence plate is permanently affixed to the outer rear of the vehicle's bodywork or to the rear bumper with the fixing kit supplied.
- 2.5** Condition number 9 of the Vale of Glamorgan Conditions for Private Hire Vehicles states that identification door stickers should be fixed to each of the vehicle's front doors by their adhesive backing.
- 2.6** This matter is reported to Committee as officers do not have delegated authority to issue a Private Hire Vehicle Licence other than in accordance with the Vale of Glamorgan Council's standard conditions.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** This report has been screened for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives.
- 3.2** Prevention and collaboration: the purpose of this regulatory function is to protect the public and ensure businesses comply with licence terms and conditions.

4. Climate Change and Nature Implications

- 4.1** There are no implications arising directly from this report.

5. Resources and Legal Considerations

Financial

- 5.1** There are no financial implications arising directly from this report.

Employment

5.2 None.

Legal (Including Equalities)

5.3 Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 allows a Council to make conditions relating to the prohibition or the displaying of signs on Private Hire Vehicles licensed by that Authority.

"A District Council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates."

5.4 Section 48(6)(a) states;

Subject to the provisions of this part of this Act, no person shall use or permit to be used in a controlled district as a private hire vehicle a vehicle in respect of which a licence has been granted under this section unless the plate or disc issued in accordance with subsection (5) of this section is exhibited on the vehicle in such a manner as the district council shall prescribe by condition attached to the grant of the licence.

5.5 Section 48(7) states;

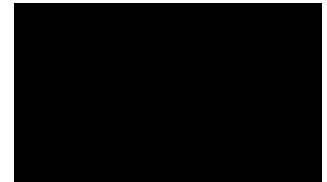
Any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

5.6 Section 75(3) states;

Where a licence under section 48 of this Act is in force for a vehicle, the council which issued the licence, may by a notice in writing given to the proprietor of the vehicle, provide that paragraph (a) of subsection 6 (refers to the fixing of plates or discs) of that section shall not apply to the vehicle on any occasion specified in the notice or shall not apply when the notice is carried in the vehicle; and on any occasion by virtue of this subsection that paragraph does not apply to a vehicle section 54(2)(a) (the wearing of a badge by the driver) of this Act shall not apply to the driver of the vehicle.

6. Background Papers

None.



20 March 2023

Dear Vince

Please accept this letter as a request for an exemption from displaying door stickers and an external license plate on my car. I also request the requirement of having privacy rear window tint.

I am asking for these exemptions because of the nature of the work I intend to undertake. The clients I will be transporting are high profile clients including actors, producers and tv and film executives. They require a discreet vehicle that allows for privacy and an executive service.

100% of the work I will be undertaking will be executive chauffeur travel for tv and film.

I am also including a supporting letter from one of my future employers.

Yours sincerely



Rhys Wilton



CBS UK PRODUCTIONS LTD.

Cannon Place, 78 Cannon Street, London EC4N 6AF

20 March 2023

Dear Sir/Madam

I am writing to confirm that Rhys Wilton will be employed as a Unit Driver, driving our cast and executive producers.

Our cast and executives require an exclusive service, so we would expect that our unit drivers do not display license plates and stickers on their vehicles. It is also a requirement that the vehicles be fitted with tinted rear windows to ensure our clients have complete privacy.

Yours faithfully



Mr Bryan Moses
Unit Production Manager