

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	13 MARCH 2019	5
REQUEST FOR DISPENSATION FROM DISPLAYING PRIVATE HIRE VEHICLE SIGNAGE			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

A request has been received from a prospective Private Hire Operator seeking dispensation from displaying the required private hire vehicle signage.

The signage requirements set within the Borough are for the protection of the public with regards to the ease of recognising private hire vehicles. However, it is understood that the vehicles for which the dispensation is sought are to operate in conjunction the applicant's main business.

RECOMMENDATION

1. That the Committee considers the report and determines the request.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this applicant.

Dispensation has been issued previously to operators which fall within the Policy.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. Private Hire vehicles are currently required to display the Fylde Borough Council door stickers and identity plates to the front and rear of the vehicle. However, S75 (3) of the Local Government (Miscellaneous Provisions) Act 1976, does provide Local Authorities with the discretion to provide dispensation from displaying signage, in writing.
2. Dispensation is currently granted to some Private Hire Operators in Fylde Borough involved in the Chauffeur Business. The proprietors of vehicles are still required to display a disc confirming the vehicle to be licensed as a Private Hire vehicle, whilst all signage such as the identity plates and door signs must be conveyed in the boot of the vehicle.
3. A formal request has been received from Mark Upton for dispensation from displaying the required signage upon two vehicles he intends to licence as private hire vehicles as part of his business. At the time of writing, the vehicles have not been purchased but it is understood, Mr Upton is considering purchasing 2 Mercedes V Class.

4. Mr Upton states,

The main part of our business is as Superyacht agents. This is not something most people have heard of but we started doing this in 2012 for the Olympics where we looked after all the Superyachts that visited London for the Olympics. Having worked in this industry since 1996 (I was crew and then Captain on Large yachts) we are one of the only companies in the UK that caters to the needs of visiting large yachts. We do everything from booking their berth whether it is in London, Cornwall or Scotland for example to providing security, food deliveries, customs and immigration clearance, organising visas for guests and crew, all the way through to arranging private events, booking jets and helicopters. A large part of our service has been arranging chauffeur driven cars for our customers.

Over the last few years we have seen a large increase in visiting yachts and therefore a proportionate increase in the amount of cars and private vans needed for our clients. As a result of the fact that these are not only very expensive to sub contract and not always to the standard we expect we decided it would be easier for us and more cost effective for our clients to take this service in house providing vehicles directly for our clients. We will have two drivers working for us and two others we can call on as required.

I know this does not necessarily require a private hire license but, as our season is short (April-September) we would like to be able to do some sub contract work ourselves in the winter to contacts we have at premiership football clubs, Formula 1 racing teams and Private jet operations, hence the application for the license.

Our clients will never be customers who call and book by finding us on the internet or business directories as we will not advertise our services to the general public. Therefore with this in mind and the fact that our entire business revolves around privacy and discretion I would very much like to apply for the dispensation not to carry private hire signage on our vehicles.

The vehicles we will be purchasing will be 2 Mercedes V Class Extra Long wheel base as these are best suited to the type of clients we have. We would very much appreciate it if we were granted this dispensation as the private hire signs would definitely detract from the type of service we offer.

5. The [Hackney Carriage and Private Hire Licensing Policy](#) refers to dispensation requests at Appendix F, and comments:

All applications for dispensation from the requirements to display external vehicle licence plates will be considered by the Public Protection Committee who will take account of the individual circumstances of the case. Dispensations are unlikely to be granted unless the applicant can satisfy the committee that their vehicle(s) are of such a type and age that they would be appropriate for executive travel and that such work represented at least 80% of their total business (verified by operator records in the case of existing vehicles). Such vehicles must display a windscreen badge, provided by the council. These badges will show the details of the vehicle as they appear on the plate. Vehicle licence plates and door signs will be provided and must be carried in the boot of the vehicle at all times. Vehicles given this exemption will normally be limousines, executive type cars, such as top range Mercedes, BMW's etc.

6. As such, the matter is referred to the Public Protection Committee so that consideration may be given to the request.
7. The applicant has been invited to attend the meeting.

IMPLICATIONS	
Finance	There are no financial implications arising directly from the report.
Legal	<p>The requirement to display a licence plate is imposed in the interests of public safety and is intended to enable anybody picked up by a private hire vehicle to verify that the vehicle is a genuine licensed PHV. A further reason for plates being required is to enable a passenger or other member of the public to identify the vehicle in the event of an incident or cause for complaint. Allowing vehicles to operate without complying with the normal requirements to display a plate compromises these protections.</p> <p>In summary, members should, in considering whether to grant the dispensation, satisfy themselves that the lowering of the level of protection offered to the public is offset by some advantage offered by allowing the requests. None has been identified in the report, but no doubt the applicants will be able to provide more information to support their request.</p>
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	No implications arising directly from the report.
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	chris.hambly@fylde.gov.uk Tel 01253 658422	21 st February 2019

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Hire Licensing Policy	November 2017	http://www.fylde.gov.uk/assets/files/11/Hackney-Carriage-and-Private-Hire-Licensing-Policy.pdf